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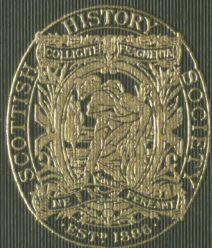
PROCEEDINGS  
OF THE  
ESTATES  
1689-1690  
VOL. I

THIRD  
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Scottish  
History  
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PUBLICATIONS  
OF THE  
SCOTTISH HISTORY SOCIETY

THIRD SERIES  
VOLUME  
XLVI



AN ACCOUNT OF THE PROCEEDINGS OF  
THE ESTATES IN SCOTLAND, 1689-1690

VOL I



AN ACCOUNT OF THE  
PROCEEDINGS  
OF THE  
ESTATES IN SCOTLAND  
1689-1690  
VOL I

Edited by  
E. W. M. BALFOUR-MELVILLE, D.Litt.



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*A generous contribution from the Carnegie Trust for the Universities of Scotland towards the cost of producing this volume is gratefully acknowledged by the Council of the Society.*

## INTRODUCTION

INCLUDED in *Highland Papers Volume IV* which the late Sheriff Macphail edited for the Scottish History Society is an item entitled 'The End of the Active Resistance to William of Orange in Scotland.' In his introductory note the editor stated, 'Among the papers of the late Dr. Maitland Thomson is a document which appears to be the copy of or, extracts from, some official narrative, which has so far escaped identification.' He proceeded to give excerpts from Nos. 134-40 and 142-4 of the 'Continuation of the Proceedings of the Parliament in Scotland' so far as they related to military operations in the Highlands. Somewhat oddly No. 141, though it consists almost entirely of news from the Highlands, was omitted by him, possibly because it may have been lacking from the set transcribed by Dr. Maitland Thomson. Nor does Sheriff Macphail, though he knew that 'the early numbers are called Proceedings of the Convention of Estates in Scotland,' seem to have been aware that much news from the Highlands is contained in numbers both before 134 and after 144. Dr. Maitland Thomson, however, drew on Nos. 146 and 147 for his article on the Oliphants in the *Scots Peerage* (vi. 558-9), where he stated that 'the newspaper' was pointed out to him by Professor Sanford Terry. (There is no ground for calling it an official narrative, as did Sheriff Macphail.)

The Council of the Scottish History Society therefore welcomed the proposal first made to it by Mr. E. S. de Beer that, departing from its usual practice of printing only unpublished manuscripts, the Society should reissue in two volumes the 147 numbers which appear to constitute the whole series. This was thought the more desirable since, so far as could be ascertained, the only complete set in any British library is that owned by the University Library of Cambridge. The British Museum has two sets, of which one lacks No. 85 and the other Nos. 98, 99 and 141, and

has also a few odd numbers. A set in the Bodleian Library includes Nos. 1-143. In the National Library of Scotland there are 49 numbers, of which the latest is No. 87. Glasgow University Library has Nos. 1, 2 and 12. Aberdeen University has only the first number.

For the volumes now issued by the Society Nos. 1-136 have been printed from a set in the possession of Sir James Fergusson of Kilkerran, Bt., and the remainder from that at Cambridge. Sir James Fergusson's is of special interest as having belonged at various times to a son of Archibald Constable, to J. Hill Burton and to Miss Henrietta Tayler. Bound up with it is an account of the happenings at Whitehall in January 1689, when 'such of the Scots nobles and gentlemen as were in Town' invited William of Orange to call a meeting of the Estates and meanwhile to undertake the administration of Scotland. This is here printed as an appendix at the end of Volume II.

The 147 numbers of the periodical cover the time from March 14, 1689, to October 18, 1690. While the *terminus a quo* is obvious as the day of the Convention's first meeting, there is no clear reason why publication ceased at the latter date. Not 'an official narrative,' it appears to be the work of an independent English journalist who stayed for the time in Edinburgh and sent up twice weekly to London an account of Scottish affairs for the information of his compatriots. That he was English seems to be proved by his use of such terms as 'knights and burgesses' for the commissioners of shires and burghs, 'Lord Mayor' for the Lord Provost of Edinburgh, 'bailiff' for bailie, and 'William III' as the King's title. His unfamiliarity with Scottish terms also becomes evident when the Master of Forbes appears as 'Mayor of Forbes' and Macdougall younger of Logan as 'Macdougall Mayor of Logan.' Baffled by the distinction between burgh and landward districts of Ross, he turns the latter word into 'landneart.' Again, five of the numbers for January and February 1690 are dated 'Edinburgh, 1689' after the style of the calendar still being used in England.

In London the periodical was published by two successive

printers, Richard Chiswell and Richard Baldwin. Of these the former produced Nos. 1-127 at the Rose and Crown in St. Paul's Churchyard. According to the *Dictionary of National Biography* he lived from 1639 to 1711, commencing business before 1666. His publications included the votes of the House of Commons in 1680, Bishop Burnet's *History of the Reformation* and many theological works. The contemporary London bookseller, John Dunton, described him as deserving the title of 'metropolitan bookseller of England if not of all the world.' Although he continued in business till the year of his death, the production of this periodical passed in July 1690 to Richard Baldwin, another of the best-known publishers of the day, who printed Nos. 128-38 in the Old Bailey (probably in Bull Court) and Nos. 139-47 near the Oxford Arms in Warwick Lane. Of him John Dunton wrote that when he removed from the Old Bailey to Warwick Lane 'his fame for publishing spread so fast he grew too big to handle his small tools,' meaning that he gave up bookbinding. Much information about him is contained in the Bibliographical Society's *Dictionary of Printers and Booksellers, 1668-1725*.

The original purpose for which the periodical was issued seems to have been the furnishing to the London public of regular information about the proceedings of the Convention called for the settlement of the Scottish crown, when James II had already been removed from the English throne in favour of William and Mary. When this had been decided, however, matters of the first political importance remained to be dealt with, especially the government of the Church and the committee system in Parliament. Moreover, Jacobite opposition to the Convention's transfer of the crown was active and prolonged. Edinburgh Castle held out under the Duke of Gordon until June 13. Viscount Dundee's rising followed, and after the battle of Killiecrankie and the abortive attack on Dunkeld military operations went on in the Highlands for another year and more. All this furnished material for the journalistic venture to continue altogether for nineteen months, the

title being changed according to circumstances. Thus the first number is headed 'An account of the Proceedings of the Estates in Scotland,' which is followed by 'A Continuation of the Proceedings of the Convention of the Estates of Scotland' up to No. 26 (except No. 22, which describes the delivery of the crown at Whitehall), and again No. 29. Nos. 27, 28, 30 and 31 have simply 'A Continuation of the Proceedings in Scotland.' With the Convention turned into a parliament the title becomes 'A Continuation of the Proceedings of the Parliament in Scotland' for Nos. 32-52, the words 'during their late sitting and of other affairs relating to that kingdom' being added for Nos. 46-52. 'A Continuation of the Proceedings in Scotland' is again the title for Nos. 53-100, that for the remainder being the same as for Nos. 46-52.

In fulfilling his principal task of reporting what was done in the Estates, the writer has given the text of many statutes which can no doubt be found in the record edition of the Acts of the Parliaments of Scotland, but he has also included some drafts of Acts introduced but not passed, particularly in connection with the Church and the Lords of the Articles, and some speeches made at the opening of Parliament and in its debates. This is of the more value, since in Thomas Thomson's compilation the Minutes (as distinct from the *Acta*) are wanting for the session of Parliament in 1689, and for the greater part of the first session and the whole of the second session in 1690.

Apart from the proceedings of Convention and Parliament, accounts are given of the negotiations for the surrender of Edinburgh Castle and of the Bass. Reports of Dundee's movements and those of Government troops are transmitted week by week as received in Edinburgh, not always proving accurate but none the less interesting for their effects on opinion at the time. The attack on Dunkeld is described in a letter from one of Colonel Cleland's soldiers. The fear that a Jacobite force from Ireland would invade Western Scotland is clearly brought out, as is the damage done by French privateers off the Scottish coast. Much space is devoted to the fighting in

Ireland and in that connection to the Danish troops which crossed Scotland on their way to reinforce the Duke of Schomberg. Many cases heard by the Committee of Estates and by the Privy Council are mentioned, including the deprivation of numerous parish ministers for failing to read the Proclamation of April 11 or to pray for William and Mary, before legislation had been passed to alter the government of the Church. From time to time there are such tit-bits of scandal as the dispute between Sir James Rocheid and his sister-in-law, the murder of a soldier in the Pleasance by Lord Bellenden, the robbery of the mail near Haddington by two of the Seton family and the prosecution of an Edinburgh landlady for speaking ill of her lodger, the Countess of Callander.

The method adopted in editing these volumes has been to omit the text of the Acts of Parliament printed in the record edition, giving references to the appropriate pages therein. Proclamations have been summarised with references to the Earl of Crawford's *Tudor and Stuart Proclamations*. The headings of the various numbers of the periodical have been reproduced only in the case of No. 1 and where a change has been made from the previous title. The phrase 'Licensed and entrd according to order,' which appears on each number, is here printed only the first time. All the advertisements of books published by Richard Chiswell have been omitted as having no bearing on Scottish history. The spelling (including misprints), grammar and capital letters of the original have been retained but not the copious italics.

Annotation has been kept to a minimum and confined almost entirely to the identification of places and persons, particularly where a laird is indicated in the text only by his estate. Correct forms have been given in footnotes where those of the text might be misleading or obscure as, for instance, Askin (p. 9) and Pulwart (p. 11), but in such cases as Lothain (p. 2) and Leaven (p. 8) this seemed unnecessary. To obviate tiresome iteration, footnotes have normally been added only on the first occasion that a name appears.



Acknowledgment is gratefully made of help given in the identification of persons by Sir Thomas Innes of Learney, K.C.V.O., Dr. C. A. Malcolm, O.B.E., Mr. C. T. McInnes, and Mrs. Margaret W. Bayne, and by Professor G. O. Sayles in connection with Irish place-names.

AN  
ACCOUNT  
OF THE  
PROCEEDINGS  
OF THE  
Estates of Scotland.

The Lords Spiritual and Temporal, and the Commons being Assembled at Edinburgh, March 14. in Obedience to the King of England's Letters, all in one House, according to the Custom of the Kingdom. And the Bishop of Edinburgh<sup>1</sup> having said Prayers, in which he prayed God to have Compassion on King James, and to restore him. They chose their President and Clerks, the Bishops and others were for the Marquess of Athol's being President, but it was carried for Duke Hamilton by 40 Voices. The first thing they took into Consideration was the Security and Safety of the Meeting, for the Town of Edinburgh, where they sit, is at the Mercy of the Cannon of the Castle, which still is in the Hands of the Duke of Gordon, a Roman Catholick. Therefore they passed the following Act.

At Edinburgh March 14. 1689.

The Meeting of the Estates of this Kingdom considering that the Duke of Gordon, and some others of the Popish Religion under him, entrusted with the keeping of the

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<sup>1</sup> Alexander Rose.

Castle of Edinburgh, are not qualified by the Law of this Kingdom; they grant Warrant to the Earls of Lothian and Tweeddale to repair immediately to the Castle of Edinburgh, and to require Him, and others of his Persuasion there, in the Name of the Estates of the Kingdom, to remove out of the said Castle within 24 hours after this Intimation, and to leave the charge thereof to the next Commanding Officer, being a Protestant: And He and They doing the same, the Estates give Assurance, That He and They are, and shall be, exonerated and secured, as to any thing they have acted in that, or any other Station, contrair to Law, as being Papists.

After this they named a Committee of Elections, consisting of 15, that is five of each State; which gave occasion to the Debate, Whether the Lords Spiritual were a distinct Estate, or only a part of the same Estate with the Lords Temporal? But the House inclining to the Negative, the Debate was let fall. By the naming of this Committee, People began to make a Judgment of the Meeting, for of 15 that are of it, at least 12 are supposed to be inclined to follow the Methods of England; and the House rejecting a Protestation made against my Lord Argyle's sitting in it till his Fathers Attainder should be reversed, is an Indication of the same Nature. A Motion being made that the Town being full of People, from all Parts of the Kingdom, and who generally were armed; it was thought fit, for preventing Disorders, to command all Persons from Town that were not Inhabitants nor belonged to the Members of the Meeting: The House was of Opinion that the Castle must be first delivered. In the mean while a Committee was appointed to take care that the Peace be kept.

The next day the following Paper from the Duke of Gordon was read in the Meeting.

Edinburgh-Castle, 15. March 1689.

I am willing to comply with the Commission I received by the Earls of Lothain and Tweeddale, as to my Removal from the Castle of Edinburgh; tho I cannot do so as a

Papist, that being dangerous, and I not Convicted ; for I hope being in Employment, without taking the Test, contrary to an Act of Parliament, is no Conviction of Popery.

I received not long agoe a Letter from the then Prince of Orange, desiring that I would leave the Castle, which I promised to do, but expected some reasonable Things to be first granted to my Self and Garison.

I hope I have not merited so ill of my Country as that I may not be trusted with the Castle until a Return come to this Letter, which I expect every Hour ; but if that cannot be granted barely on my Promise not to molest or harm any Person, especially these of this Illustrious Assembly, I proffer Hostages of Bail to the Value of 20000 l. Sterling for my peaceable Department.

Otherways I expect before any Removal, (1.) A General Indemnity for my Self and Friends, both Protestants and Papists ; as likeways absolute Security for our Lives and Fortunes in time coming, with assurance the same shall be ratified in the next ensuing Parliament. (2.) Security for all Protestants of the Garison, who incline to stay in it to continue in their Employments ; and for my self, and these who shall go out with me, either Protestants or Papists, to go beyond Seas, or remain within the Kingdom, as our Occasions shall lead us. (3.) That the Garison be compleatly payed off all by-gone Arrears, and have Liberty to dispose of their Goods within the Castle as they please, Subscribed,  
Gordon.

Upon which the following Paper was agreed on, and sent to the Duke of Gordon.

At Edinburgh, the 15th day of March, 1689.

The Meeting of the Estates having Considered the Paper, given in and Subscrib'd by the Duke of Gordon, in Answer to their Order, do Declare it is not the Mind of this Meeting, That the Duke his Officiating as Governour of the Castle of Edinburgh, or in any other Employment, or his quitting his Command at this time should Import any Acknowledgment or Conviction against him or those under his Command of his or their being Papists.

It is likewise Resolved, That this Meeting will not allow of the said Duke his keeping the Government of the Castle upon Promise, Bail, or Hostages for his Peaceable deportment, until he get a return to the Letter written by him to the then Prince of Orange.

It is likewise Resolved, That the Indempnity offered by this Meeting of the Estates, shall only extend to these belonging to the Garison, and their Servants either Protestants or Papists, that the Persons who are to have the Benefit of the said Indemnity shall be expressly named if the Duke desire it. And that the Indemnity to be granted by this Meeting shall bear a Clause that it shall be ratified in the next Parliament.

As to the last Article, That these of the foresaid Garison who please to Retire with the Duke shall have liberty either to go out of the Kingdom, or stay in it, as they shall think fit, and shall have liberty to dispose of their Goods, and have safe Conduct Granted to them for that Effect, the same being desired before Dissolving of the Meeting of the Estates. But that they take out with them no Arms, Ammunition, or Store, except what they shall instruct to belong properly to them. It is granted.

And lastly, it is agreed, That the Officers and Soldiers shall have Payment of their Arrears : But refuses to give them assurance of their being continued in Employment.

By his Answer to this, full of new and extravagant Demands, the Meeting was satisfied that he was only trifling with them, as he had done with the King of England, to gain Time ; and therefore they ordered the Heralds, with the usual Solemnities, to Summon him to render it, under the Pain of Treason ; and to proclaim him a Traytor in case he refuse to do it ; and to forbid all People to have any Correspondence with him : Which accordingly was done, and Orders given to block up the Castle.

On Saturday the Sixteenth a Letter being delivered to the Meeting by one Cran an Englishman, who called himself a Servant to the Queen that is now in France ; my Lord President told them, That there was likewise a Letter from

the King of England : Upon which arose a Debate about the Reading of the Letters. The Earl of Lowthian moved, That since they met at the King of England's Desire, they ought first to read His Letter ; which was put to the Vote, and carried, and that Letter was read.

Directed thus,  
To the Meeting of the Estates of Scotland.

*(The text of the letter is given in The Acts of the Parliaments of Scotland ix. 9.)*

Then the Debate was, Whether King James's Letter should be read, or not. The same Noble Lord propounded an Expedient, to which the House agreed, That before the Reading of it, they should pass the following Act, and that the Members should sign it.

Inasmuch as there is a Letter from King James the 7th, presented to the Meeting of the Estates, That they before opening thereof, Declare and Enact, That notwithstanding of any thing that may be contained in that Letter, for Dissolving them, or Impeding their Procedure. Yet that they are a Free and Lawful Meeting of the Estates, and will continue Undissolved, until they settle and secure the Protestant Religion, the Government, Laws, and Liberties of the Kingdom.

This was signed almost by the whole Meeting, and then the following Letter was read.

*(The text of the letter is given in A.P.S. ix. 10 n.)*

It is said, That this Letter, instead of encouraging King James's Friends, put them out of Countenance.

The Meeting after this did adjourn to Monday the 18th when they were to take the King of England's Letter into Consideration.

This is all of moment that hath hapned, and is sufficient to prejudge the whole Matter, since they have declared themselves a Free and Lawful Meeting, and that their Business is to settle the Government.

Finis.

Number 2.

A  
CONTINUATION  
OF THE  
PROCEEDINGS  
OF THE  
CONVENTION  
OF THE  
Estates of Scotland.

On *Monday* and *Tuesday*, the 18th and  
19th of this Instant *March*, 1689.

Licensed and Entred according to Order.

The House in the first place Ordered a Proclamation to be drawn, for bringing in the Arrears of the Publick Revenue ; the Draught of it did bear, That the Money was to be employed for Raising Forces for securing the Protestant

Religion, &c. But after much Debate, this was altered, and the words, For Raising Forces, left out.

The House approved the Address and Proceedings of the Nobility and Gentry that had been at London, and had there desired the then Prince of Orange to take upon Him the Administration of the Government:<sup>1</sup> A Committee was appointed to draw an Answer to the King of England's Letter: No man moved for an Answer to King James's Letter; only the man that brought it, begg'd a Pass to go to Him in Ireland; and offer'd Security not to carry to Him any Letter or Paper from any Person whatsoever.

A Motion was made, That those who had Refused to Sign the Act, by which the Freedom and Lawfulness of the Meeting was asserted, should be turned out of the House; which were not above Six or Seven. Some Letters being read from several Noblemen and Gentlemen in Ireland, and begging their Assistance, Two Thousand Fire-locks, and Twenty Barrels of Powder, were ordered to be sent them immediately. Upon this occasion, Four Thousand Muskets, and Two Thousand Fusees, and Six Hundred Barrels of Powder, were ordered to be Bought, and brought Home.

The House was inform'd, that the Lord Viscount of Dundee had had a Conference with the Duke of Gourdon, at the Postern-Gate of the Castle, tho the Convention had forbid all Correspondence with him under pain of Treason, and that the said Lord (who came no more to the Convention) was seen near the Town, and 40 or 50 Horse with him. The Convention immediately ordered him to be Summoned; but he was gone West, towards Linlithgow, which being the Road to Stirling, it's thought his Design may be to Surprize that Castle, which commands the Pass of Communication betwixt the North and South Parts of Scotland: The Convention ordered a Major with 80 Horse to go after him; and the Earl of Marr, who is Governor of Stirling-Castle, is gone to it by their Order, to Secure it against any Surprize or Attempt.

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<sup>1</sup> See Appendix in Volume II.



Ordered, That all Persons betwixt 16 and 60, be in a Readiness to take Arms, when the Convention shall require it; At the same time, several suspected officers of the Militia, were turned out, and others put in their places; and Sir Patrick Hume (excepted out of the Late King James's Indemnity) ordered to Command the Militia Horse of his County: It was likewise Ordered, That Eight Hundred Men should be Levied and Armed under the Command of my Lord Leaven, who has a Regiment in the King of England's Service: The 800 men were found in two Hours time.

The House finding that Sir George Mackenzy, late Lord Advocate, Five of the Bishops, that came to the Convention, and several others, had withdrawn themselves, all the absent Members were ordered to be Summoned.

The Duke of Gourdon made beat a Parley, and desired once more to Treat; but his Demands are such, as he knows the Convention will not grant: He requiring, That the same Security and Indemnity that was agreed upon for himself, should be extended to about 40 Persons more, that he should name; and that after he had delivered up the Castle, he might have a pass to go to King James in Ireland, to satisfie him with the Reasons of his delivering it up; and giving Security for his Return back.

Those that seem to agree as to the Manner of settling the Government, differ as to the Time of doing it; Some are of Opinion, that it is to be done immediately, as the best Expedient for preventing Disorders; Others think it better to delay the entring upon that Point for some Days, for several Reasons.

The House Adjourned to Thursday at Ten of the Clock, upon which Day, King William's Letter is to be Answered; and 'tis said, the Lord John Hamilton will be Sent up with it.

London: Printed for Richard Chiswell, at the Rose and Crown in St. Paul's Church-Yard. MDCLXXXIX.

## Number 3.

From Tuesday March 26. to Saturday March 30.

Edinburgh, March 21. 1689.

The Convention is still busy in settling the Militia, and prosecuting the other Methods laid down for the securing the Peace of the Country, and putting the same in a Posture of Defence, in case of Insurrection or Invasion. In particular, great care is taken, that the Western Counties, which lye next to Ireland, be in readiness; and Orders are given for Disarming the Papists, and Mustering the Militia. The Earl of Marr, the Governor of Stirling-Castle, being Sick, the Convention sent Sir Charles Askin<sup>1</sup> to Stirling, to see to the Security of that Town and Castle, which he hath done; and hath writ to the Convention, that he is in Possession of the Castle and will maintain it for their Service.

The Treaty betwixt the Duke of Gourdon and the Convention, for the Surrendring the Castle of Edinburgh, was almost concluded, so that it was believed that he would leave it the next day. However, he had sent a Letter to the House, in which he insinuated to them the espousing of K. James's interest, who he said, was in Ireland, and offers to go wait upon him, in order to obtain assurance of settling Religion and Laws, to their Contentment, and upon lasting and sure Foundations, but the House did not at all take notice of this part of the Letter.

The Town of Stirling, being informed, that the Earl of Dundee was coming that way with 200 Horse, they put themselves in a Posture of keeping him from entering the Town. It's said, he is gone West, it's thought with a design to go over to Ireland.

Some Ships do appear in the Frith, in which it's hoped Major General Mackay may be with the three Regiments.

The Duke of Queensberry, and the Earl of Cassells, and some others, arrived yesternight, but have not yet been in

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<sup>1</sup> Sir Charles Erskine of Alva.

the Convention, of which several of the Members were sick, and several absent.

The Convention hath sent an Express to Ireland, to know the Truth of the News, that they hear from that Kingdom, and hath appointed two small Frigats to Cruise betwixt Scotland and Ireland, to bring them intelligence; and all Protestants are allowed to import into that Kingdom Arms and Ammunition, for which the Estates will pay them.

The Forces that came from the West, being above 6000 Men, are ordered one Week's pay, and the publick Thanks of the House for their good Service, in blocking up the Castle.

In regard the Publick Revenues cannot be got in so soon as is necessary, for paying off the Soldiery; The Merchants of Edinburgh have offered to advance it immediately upon the Security of the Convention.

Many of the best Men, which were with the Earl of Dundee, have left him.

The messenger King James sent with his Letter to the Convention, being kept in Custody, or under Bail, was this Day released and dismissed with a Pass, instead of an Answer.

On Monday last, The Convention passed an Act, appointing the Sess Supply, Custom and Excise, and all the Crown-Rents and Revenues, to be applied towards paying the Forces King William of England should send, and those to be raised here, for defending this Kingdom, and the Protestant Religion.

Edinburgh the 23d Instant. D. Gourdon sent his last Proposals with a Monitory Letter to the Convention, minding them of what Honours and Dignities King James's Predecessors had raised most, or many of them to; and what Marks of Royal Favour and Bounty he had conferr'd on them; and which ought not to be forgot for the Errors and Miscarriages of poor Four Years Reign; and if they would allow him Liberty to go over to Ireland, where he is informed King James now is, he would endeavour an Accommodation between Him and the Estates of the

Kingdom, to have Religion, Laws, Liberty, and Property restored and established. But this Motion of the Duke, and his Undertaking, was altogether rejected, without suffering the said Monitory to be entred in their Journals, that they had received or read it. His Demands were, 1. An Act of Indemnity for himself, and all Papists and Protestants that serve under him in the Castle, and for Four or Five Priests. 2. That he might be secured against the Strangers or Cameronians, whom he calls the Rabble, in and about the Town, at his coming out. 3. That he might have a Guard of 40 Horse to Conduct him.

To the 1st, the Convention answered, That they would give Security to him and others, in their Lives and Fortunes, so far as they had Acted as Papists; and that the Priests should have Passes to depart the Kingdom, on condition never to return again.

To the 2d, That he should have the Guard he demanded, till he were over the Water to Bruntland.<sup>1</sup>

To the 3d, That a like number of Guards should Convey him from thence homewards, which should be disbanded within 24 Hours after his Arrival, he giving security to live peaceably, and not disturb the Peace of the Kingdom.

This day a Proclamation was issued forth, commanding all the Papists, who are not House-keepers, to depart Ten miles out of Town, in few days, and forbidding them to carry any Arms, except a Sword only.

Lord Dundee, before he left the Town, desired the Convention to send an Answer to K. James's Letter, but they told him by a Macer, that he need not stay for that, for they had none to send. Then he urged for a Pass to go for Ireland, which was likewise refused him.

Most part of the controverted Elections being determin'd, Pulwart,<sup>2</sup> and Sir Duncan Cambel of Auchinbreck, and other forfeited Barons, were allowed to Sit in the Convention.

Notwithstanding the Articles agreed on betwixt the Convention, and D. Gourdon, about surrender of the Castle,

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<sup>1</sup> Burntisland.

<sup>2</sup> Sir Patrick Hume of Polwarth.

it is not yet surrendered ; he pretending now to have a Letter from K. James out of Ireland, of which, desirous to express his Joy, by Firing the Guns, he gave notice to the City, that they might not be alarmed at it, since he designed them no harm; all which is believed to be a sham.

D. Hamilton manages King William's Interest here, with much Zeal, Prudence, and Diligence. By Letters from Ireland 'tis reported there, That King James is here in Scotland, raising men to go over for England ; and here 'tis reported by those of his Party, That he is in Ireland, raising an Army for to bring over hither ; but it's believed by all here, except Papists and Malignants, that he is no more in Ireland than here, and Praised be God, he is no more here than in England.

The Castle is blockt up, and none suffered to go in, or come out, and some small Picqueering happens betwixt the Garison and Guard.

The Duke of Queensberry, and Earl of Kintore, are lately Arrived, and are very well inclined to Advance King William's Interest, and the Weal and Quiet of the Kingdom, and Protestant Religion.

This day the Letter to His Majesty of England, was Signed in a Meeting of the whole House, except some few disaffected Persons, and Ordered to be immediately sent away by the Lord Ross ; who has taken Post this Afternoon for London.

This day an Act passed, recommending to all Sheriffs of Counties, Magistrates of Boroughs, Collonels and Commanders of the Militia and Forces, that care be taken upon all the Highways, Passages, Ports, and Ferries, that none Travel with Horses and Arms, without Passes ; unless they be able to give a good Account of themselves, and to secure all such Persons as Travel otherwise. Which was Published and Proclaimed at the Market-Cross.

*☛ This Paper will be continued to be Published Tuesday and Saturday weekly.*

Number 4.

THE  
ANSWER  
OF THE  
CONVENTION  
OF  
SCOTLAND  
TO THE  
KING of ENGLAND'S  
LETTER.

*(The Text of the answer is given in A.P.S. ix. 20.)*

Number 5.

From Saturday March 30. to Tuesday April 2.

Edinburgh, March 25. 1689.

The Convention having appointed a Committee to draw an Answer to the King of England's Letter, which accordingly they did, and the same being brought into the House,

read, approved of, and signed by all the Members, except three Bishops, (the rest of the Bishops having before withdrawn themselves from the Meeting) The Duke of Queensberry, the Marquis of Atholl, and the Earl of Twedall, desired that the Letter might be sent to their Lodgings to be signed, because they were not able to go to the House to do it, by reason of their indispositions. The Lord Ross is appointed by the House to carry this Answer to the King of England.

Tho the three Bishops refused to approve of the foresaid Letter yesterday, yet this day they agreed, that the L. Ross should be the Bearer thereof to present it to the K. of England. And when the Question was moved, whether Sir Patrick Hume of Pollwart might be admitted a Member of the House, notwithstanding his Attainder: the three Bishops left the House, so that the House rose that night without Prayers, having first unanimously voted that Sir Patrick Hume was duly chosen, and ought to sit as a Member of this Convention, he having the plurality of Voices at his Election, and his Competitor Young Cockburn<sup>1</sup> having withdrawn himself from this Town and Meeting. The Bishops refusing to approve of this Letter, occasioned some of the Members to call to mind, and reflect on another Passage when the Bishops (in the beginning of the Convention) did vigorously oppose this Convention's approving of the Address made by the Noblemen and Gentlemen at London to the then Prince of Orange: then one of the Members told the House That it was no wonder that the said Bishops opposed the approving of that Address at London, since the said Bishops famous Address to King James was not yet approved of by the House.

Sir George Mackenzie sent a Letter to the House, alledging that he had a witness to prove an Assassination design'd against him, therefore desired to be secured as to his person, and then he would return to the House. But it was answered, that if he had any just complaint, it should be heard; the House thought that he ought to see to his own security, as other men did; this Complaint

<sup>1</sup> Archibald Cockburn younger of Langton.

being too general, not naming any persons as guilty of this Design. However, the House ordered his Witness to be examined, that the House may know the truth of this Allegation.

The Viscount of Dundee is certainly gone to the North, and now it is not doubted but that he retired more for fear, than for any other reason. The Herauld that was sent after him to summon him to appear before the Convention, did not meet with him. And it's said the Town of Dundee is in Arms to oppose him, and if they can, to seize him.

The Duke of Gordon sent a Message to the Convention, and the Magistrates of Edinburgh, to acquaint them, that K. James was arrived in Ireland, therefore he would not surrender the Castle to the Estates, but would set up King James's Standard, and give the ordinary vollies of Cannon, which he desired them not to fear, or mistake, and accordingly he fired the Cannon without Bullets, but not without fear to those that lie at the mercy of his Cannon.

The Guards that block up the Castle and the Garison in it, fire often one at the other with Small Shot ; little harm is as yet done ; few on both sides wounded, none killed.

The House ordered Sir John Hall, Mr. George Stirling, and Mr. William Hamilton, or any two of them, to see the Oaths administred to such as have any Military Office in and about Edinburgh, and also they ordered Mr. William Drummond to bring in an account of such Arms as are in the several Garisons.

Ordered, That whereas several Persons were seen coming in Arms from the Borders of England, therefore that the respective Magistrates and Officers of the Militia in the bordering Counties, or other Counties or Burghs, should seize any such Persons in Arms, until they give an account of their business ; and if they can give no good account of themselves, that the Magistrates or Officers, who seize such persons, shall have their Horses and Arms for their reward.

Ordered, That Mr. William Drummond go to Sterling Castle, and there deliver to Donehill,<sup>1</sup> the Number of 4000

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<sup>1</sup> John Anderson of Dowhill.



Muskets, Bandeleers and Match conform ; 100 Barrels of Powder, 1000 Pikes, 70 pair of Pistols, and 100 Chests of Ball, for the use of the Town of Glasgow and the Western Counties, to be kept as a Magazine in the Tolbooth in Glasgow.

An Act, approving an Order given by the Earl of Twedale in January last, to William Drummond, for delivering forty Barrels of Powder to Mr. Hamilton, Merchant of Londonderry, for the use of the Protestants in Ireland.

Ordered, That the President dispatch such persons as he shall find necessary, upon the publick charge, for Ireland, or such other places as the Present exigence of Affairs may require.

A Warrant is granted to all Officers in the Countrey, or Towns, to take up, and bring in all publick Arms, wherever they can be found, and a Committee appointed to enquire after the Publick Arms.

Ordered, That any Churchmen, Roman Catholicks, who shall make application to the Convention before its dissolution, shall be allowed to go out of the Kingdom.

The Convention is busied this day in giving Orders for securing suspected persons, and ordering strong Guards at Seaports, Bridges, Ferries, and other more usual Passes throughout the Kingdom.

The Convention hath passed an Act, declaring, That it is Treason to speak, or act against the Authority of this Convention.

The Convention hath appointed a Grand Committee to consider the settlement of the Government, which is hoped will be speedily effected, to the content of all Protestants.

The Names of the Members of the Meeting of the Estates in Scotland, who absented themselves from this Convention.

Most of the Bishops.

Earls.

Earl of Hume, E. of Drumferling, E. of Lwderdale, E. of Airly, E. of Callender, E. of Annandaile, E. of Penmore,<sup>1</sup> E. of Kinkairne,<sup>2</sup> E. of Balcarras.

<sup>1</sup> Panmure.

<sup>2</sup> Kincardine.

## Viscounts.

Viscount Stormont, Vi. Oxenford, Vi. Dundee.

## Lords.

Lord Sinclare, L. Lindores, L. Balmerrino. L. Dunkell,  
L. Bellenden, L. Newark, L. Dufus.

## Gentlemen.

Sir James Fowles of Collingtone, Stobs,<sup>1</sup> Sir John Dalryell,  
. . . Wastraw,<sup>2</sup> . . . Shouffe of Boot,<sup>3</sup> . . . Ramsay of Bamff,<sup>4</sup>  
Sir G. Mackenzie, . . . Boyne,<sup>5</sup> . . . Stanhope,<sup>6</sup> . . . Braikoe.<sup>7</sup>

The News from Ireland hath been bad ; but now we are better inform'd ; The Protestants there having 20000 Men well disciplin'd and furnish'd, to repel the force with which the E. of Tyrconnel attacks them. Londonderry, Eniskilling, and other Towns, not only are fortified, and well-man'd, but also the whole Countrey is resolute to defend their Religion, Lives, Families and Fortunes.

There have been such inconsistent reports, as if King James is now in Ireland, and in Scotland, at the same time ; but none believe him to be in either, except those that believe Transubstantiation.

## Number 6.

From Tuesday April 2. to Saturday April 6.

Edinburgh, March 26. 1689.

The Convention hath order'd the Receivers of the Revenue to find Security to the Clerk of the Treasury.

The Report of the Committee for putting the Kingdom in a posture of Defence, brought in, and considered.

Ordered, That the Militia be called together, with twenty days Provision ; and that care be taken to provide

<sup>1</sup> Sir William Elliot of Stobs.

<sup>2</sup> Sir James Johnstone of Westraw.

<sup>3</sup> Sir Patrick Stuart, Sheriff of Bute.

<sup>4</sup> James Ramsay younger of Bamff.

<sup>5</sup> Sir Patrick Ogilvie of Boyne.

<sup>6</sup> David Murray of Stanhope.

<sup>7</sup> Alexander Duff of Braco.

Horses fit for Service : Commissioners to be named by the Committee for this.

Ordered, That a Warrant be given to Major-General Mackay for quartering two Regiments, one in the Town of Leith, and the other in the Suburbs of Edinburgh.

A Warrant for Arming the Town of Glasgow.

Ordered, That the President give the Thanks of the House to the Officers of the Companies of Men sent from Glasgow, for the Service they had done in attending the Convention.

An Order for regulating the Price of Victuals.

An Act approving the good Service of such Men from Argyle, Glasgow, and the Western Shires, as were in Arms, and kept Guard, in Edenburgh, under the Command of the Earl of Levin, since the Meeting of the Estates, with an Allowance to such of them as have not listed themselves in the Earl's Regiment, to return with their Arms to their respective homes, was brought in, considered and approved. A Letter from the Earl of Perth, desiring some Persons and Servants might be allowed access to him in the Castle of Striveling, was read; and his ordinary Servants were allowed to stay with him.

Ordered, That the Earl of Crawford, &c. do see the Magistrates of Edenburgh give their Oaths of Fidelity to the Estates this Afternoon.

Much time was spent in giving Orders about the Militia, to wit, in naming their Officers, in appointing places for them to muster in, in the several Countries, and that they should continue six days together, to exercise their Arms, and thereafter to be ready to march upon Advertisement, with 20 days Provision; and the Heritors who send out Foot or Horse to be present at the Musters, and a Committee of them with some Officers to determine in their respective Counties all controversies relating to the Militia.

The Lord President moved, That a Committee might be named to consider the State of the Government, and to bring in their Opinion for settling it. It was Debated and Voted, Whether the matter should be first treated in a Committee or not, and it was carried for the Affirmative.

Then it was moved, That all the Members might be present to hear, &c. which was agreed unto. Adjourned to next morning.

March 27. Warrants were granted to several Members to search certain suspected Houses for Horses and Arms.

Ordered, That Major General Mackay have Warrant to Parley with the Duke of Gourdon from time to time, as he shall see cause.

Ordered, That a Warrant be given to Major General Mackay to beat Drums, through the Kingdom, for recruits to Four Regiments of Foot, and one of Dragoons.

Ordered, That the President give Warrant for seizing Arms, wherever they can be found, for the use of the Publick.

Ordered, That the Town of Edinburgh furnish Horses and Carriages to Major-General Mackay, for his Artillery, Arms, Ammunition, &c.

The Names of 8 Lords, 8 Knights, 8 Burgesses to be on the Committee for considering the state of the Government, and the Methods of setting it, were agreed on after some debate, and a Vote, by which those of the Committee had for them a majority of 54 Voices, which is more than the 4th part of the House. Then the House adjourn'd to March 28.

The Names of this Committee are, viz.

#### Nobility.

The Marq. of Athol, Earl of Argyle, E. of Crawford, E. of Sutherland, E. of Lowthaine, The Visc. of Tarbett, Lord Cardross, Lord Melvin.

#### Knights.

Blaire,<sup>1</sup> Grant,<sup>2</sup> Scot of Hordin,<sup>3</sup> Pitliver,<sup>4</sup> Dumbar of Grange, Ormiston,<sup>5</sup> Polward, Skelmorley.<sup>6</sup>

#### Burgesses.

Sir John Hall, Sir John Delrimple, Sir Charles Hacket,

<sup>1</sup> William Blair of Blair.

<sup>2</sup> Ludovick Grant of Grant.

<sup>3</sup> Sir William Scott Yr of Harden.

<sup>4</sup> John Dempster of Pitliver.

<sup>5</sup> Adam Cockburn of Ormiston.

<sup>6</sup> Sir James Montgomerie of Skelmorlie.

Mr. William Hamilton, Mr. Fletcher of Dundee, Mr. Moor of Aire, Mr. Anderson of Glasg., Mr. Smith of Pearth.

March 28. Order, That a Commission be given to Major-General Mackay to be Commander in Chief of the Militia and other Forces to be raised for the Safety of the Kingdom in this present Juncture.

Letters were read from my L. Levingston, and the Visc. of Dundee, to the President, containing the Reasons why they had left the Convention.

Ordered, That some of the Members should see the Magistrates of Edinburgh take their Oaths of Fidelity to the Estates this Afternoon.

Ordered, That the Bishops in their Prayers mention not, nor insinuate any thing against the Acts and Proceedings of this Meeting.

Then the House adjourned to the 30th of March, at which time it is supposed the Committee will bring in their opinion, That the Throne is vacant ; for that is known to be the Opinion of almost all those that compose it.

Some Members that were absent upon the account of Sickness, have recovered, and are come to the House ; and some of those that had withdrawn themselves, have upon second thoughts returned to the House.

The Viscount of Dundee is at his own House, and denies that he retired with more Attendants than one of his Quality ought to have ; and offers to find security that he will live peaceably, or come to the Convention, as soon as his Lady is brought to Bed.

Several of the Magistrates of Edenburgh are turned out, because of their refusing to take the Oath of Fidelity to the Estates, as it was ordered by the Convention ; and new Magistrates are to be chosen in their room.

When the President moved, that the foresaid Committee might be named, and eight of every Estate were judged a competent Number : The Bishops, whereof six were then present, moved that they might have the Priviledg of a State ; but they were told that that was over-ruled, and they must joyn in with the Nobility. But then the question was moved, whether every one of the three Bodies or

States, viz. the Nobility, the Knights, and the Burgesses should distinctly chuse their eight; but it was carried that every Member of the House should give in a List of 24 being eight of every State, under their Hands, and so those that had the most Voices, were to be chosen.

The Forces that came from the West Countries, having received the Thanks of the House for their good and seasonable Service to the Estates at this Conjunction, they Marcht away with their Arms to their respective Homes, having upon their Colours a Bible, with some other Devices, and these Words, viz. *For Reformation According to the Word of God*. There was a motion in the Convention made for some gratification to these West-Country men, but they would accept of none; declaring that they came only to Save and Serve their Country, and not to Impoverish it by Inriching themselves.

When the Convention was Voting Major General Mackay to be General, the Arch-Bishop of Glasgow<sup>1</sup> desired, that all the Bishops might be excused, it being a Military concern. One of the Members declared that he was glad the Bishops had got a new Light; but he had seen military Orders signed by that very Bishop; to this, the Bishop answered, That it was another case, for then he was Preses of a Committee; to which the foresaid Member replied, That he knew no difference in the Case, but that those Orders were against Presbyterians, and this against Papists. And those that retain great reverence for the Order, yet they have no kindness for these men that are now in it.

March 30. Upon the Viscount of Dundee's refusing to come to the House, and keeping a force of armed Men about his House, and conversing with the Duke of Gourdon; by the Vote of the whole House, he was denounced a Rebel this day.

The foresaid Committee of 24. have concluded the Throne Vacant; but came to Conclusion in nothing else; they seem to incline not to insist much or only upon the Head of Desertion or Abdication, but on the Head of Male-Administration; and some seem to incline, that the

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<sup>1</sup> John Paterson.

Crown be not confirmed by way of Translation, but by Succession to the Queen of England, and to the King *Jure Mariti* only the Administration during his Life; others would confer the Crown with an Union of both Nations; others are first for settling the Crown, and then to treat of the Union. Notwithstanding of these diversities of Opinions, yet it's believed that they will follow the Example of England, as near as our Circumstances will allow.

The Grand Committe hath appointed a Sub-Committee to prepare the Reasons of Vacancy, and Materials for the Instrument of Government, which is to sit on Monday.

The Convention thought fit to add the Earl of Twedale, Calleder,<sup>1</sup> and Mr. Hugh Brown, (being one of each State) to the Grand Committee.

Another Committee is likewise appointed to examine several Persons apprehended as Intelligencers with the Castle, Dundee, and such like of that Party.

The Duke of Queensberry was not at the Meeting this day.

Sir George Mackenzy keeps his Chamber still.

The Earl of Anandaile comes to the House, and voted for the denouncing the Viscount of Dundee a Rebel; which accordingly was done over the Cross.

Several of the Soldiers in the Castle upon every occasion desert that Service, by slipping down the Wall by a Rope; and declare, that they are barbarously used by the Duke and other Officers. This night great cries and howlings were heard in the Castle, as it's conjectur'd, upon the torturing of some of the Soldiers, suspected to have had a Design against the Duke's Person, or to deliver up the Castle. There hath been great shooting on both sides, and several Persons killed, tho not many.

The Earl of Pearth petitioned for Liberty for more Servants; which was granted.

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<sup>1</sup> Duncan Forbes of Culloden.

## Number 7.

From Saturday April 6. to Tuesday April 9.

Edinburgh, April 1. 1689.

Ordered, That the Clerks write to the Lord Levingston, to appear before the Convention, upon, or before the Ninth of April; and that there be no further procedure against him until that time.

Ordered, That the Committee for settling the Government consider the time that the two Frigats shall enter into pay of the Estates, and give Commissions and necessary Instructions thereanent; And a Warrant given to the President, to draw Precepts on Mr. James Oswald, General Receiver, for such sums of Money as is fitting and necessary for the fitting out, and paying off the two Frigats.

Ordered, That the General Receiver bring in, the next Sitting, an account of what publick Money is in their Hands, and of what is Resting, and by whom.

Upon Supplication given in by the Friends of Sir George Lockhart, late President of the Session, (that is, Lord Chief Justice) for a Warrant to torture John Cheisly, who barbarously Murdered Sir George, by shooting him with a Pistol at his own door upon Easter-Sunday as he camt from the Church in the forenoon: This occasioned a long Debate in the House; at last it was agreed to, with this Proviso, That it should neither homologate by-gone Torture, nor be a preparative for the future, and was only granted because of the prodigious wickedness of the Devillish Fact: Therefore it was ordered, That the Magistrates of Edinburgh, etc. should immediately proceed to torture the Murtherer for the discovering his Complices; and the Convention appointed some of the Members, Assessors to the said Magistrates for that effect; and to report to morrow.

Ordered, That the Magistrates in the Towns and Countrey, the Collectors, and Waiters in the Western-Ports, to stop



and secure all persons going to Ireland without Passes, till they give a good account of their business.

Ordered, That the Inhabitants of the Town of Aire be brought and kept together in that Town, till further Orders of this Convention.

Ordered, That the Rules for ordering the House in time of Parliament and Convention, be called for, and brought to the House to morrow.

The Grand Committee of Twenty four, having sub-committed to Sir Patrick Hume, Sir John Dalrimple, Mr. William Hamilton, and Skelmorly. to draw the Reasons of the Vacancy : This day the Reasons were brought into the Grand Committee, and were approved of ; and the Vote past the Grand Committee of Twenty-four, *Nemine contradicente.*

April 2.

After calling the Roll, the Lord President ordered, That the Act of Parliament made 1662. for Regulating the House, to be read, with the Additional Act thereanent, in the Year 1685. which being done, it was Ordered, That an Act for Regulating the House should be drawn, conform to those Acts of Parliament, with these alterations : 1. That the Constable and Marshal have four Servants for each of them. 2. That Noblemen's Sons be named in the general. 3. That the Members be allowed to speak oftner than twice (about the same thing) if it be done with discretion, with some other differences relating to the present conjuncture.

Upon a Representation made by Captain Bryce of Belfast, that he was forced to escape with his Company, of about Sixty Men, with their Arms, over into Scotland, being separated from the Regiment, by the coming of the Irish Army. And that Goods of Protestants forced over from that Kingdom, might not pay Custom. It was ordered That the Captain and Company should have pay according to the present Establishment, until they could be conveniently transported unto Ireland. And that the Goods of Irish Protestants, which are not brought over for Sale, should pay no Custom.

Ordered, That a Proclamation be drawn for taking all Persons, who live peaceably, unto the Protection of the Estates.

On a Petition by the Magistrates of Edinburgh, ordered, That they shall be satisfied for what damage shall happen to the Wooll they furnish'd to Major General Mackay, to build up a Defence against the Cannon of the Castle.

A Committee appointed to consider the condition of the Revenue, and to Report.

The Earl of Leven is ordered to carry his Regiment to Fife.

Ordered, That Mr. Lindsey, late Servent to the Earl of Melfort, be brought out of the Prison, to witness in the execrable Murther of Sir George Lockhart, the late Lord President in the Session.

The Convention have ordered a new Election of the Magistrates of Edinburgh to be by the Poll, of such as bear Scot and Lot in the Town.

This Afternoon the Committee of Twenty-four have prepared a Vote for the full Meeting to morrow, finding the Throne Vacant; and instead of Abdicate, incline to take the word Forfaulted. The particular grounds upon which they found this, are likewise agreed on in these Terms:

The Estates of the Kingdom of Scotland, find and declare, That King James the Seventh, being a professed Papist, did assume the Royal Power, and acted as King, without ever taking the Oath required by Law, and hath by the Advice of Wicked and Evil Councillors, invaded the Fundamental Constitutions of this Kingdom, and altered it from a Legal Limited Monarchy, to an Absolute and Despotic Power. And hath exercised the same to the Subversion of the Protestant Religion, and the Violation of the Laws and Liberties of the Nation, inverting all the ends of Government, whereby he hath forfaulted the Right of the Crown, and the Throne is become Vacant.

The Reasons of this, will be publish'd to morrow, when the Report is made to the whole House.

## Number 8.

From Tuesday April 9. to Thursday April 11.

Edinburgh, April 4.

The Reasons for declaring the Throne Vacant, were again read, and argued, one by one. They are in the terms following :

*(The terms are given in A.P.S. ix. 33-4.)*

After this, the following Declaration, which had been prepared by the Committee, was read, and the Vote was approv'd, as also the Declaration and Reasons.

*(The Declaration is in the terms given on p. 25.)*

The whole House, approved both ; except Twelve, of which Number Seven were Bishops, All the Bishops that were present.

This being done, the following Vote passed, That an Act be brought in from the Committee for Setling the Crown upon William and Mary, King and Queen of England, and to consider the Terms of the Destination of the Heirs to the Crown. And likewise, to prepare an Instrument of Government to be offered with the Crown, for securing the People from the Grievances which do affect them.

When all Business was over, one of the Bishops offered to say Prayers, as the Custom is ; upon which it was moved, That King James being no more our King, he must pray for him at his Peril ; the Bishop discreetly said only the Lords Prayer. So the House adjourned till next Morning.

☛ *This happy Coronation-Day causes this extraordinary Publication ; Tuesdays and Saturdays being the days this Paper will continue to be publish'd on.*

## Number 9.

From Thursday April 11. to Saturday April 13.

Edinburgh, April 4. 1689.

Ordered, That a stop be put to the Publick Signet of the Kingdom ; so that there can be no Execution of the Law, till Their Majesties King William and Queen Mary shall be declared.

Ordered, That the Vote of the House be carried to such Members of the House as are absent, for their Assent or Dissent.

Yesterday the Duke of Gourdon beat a Parley, on which General Mackay sent an Officer to know the occasion, upon which a Messenger was sent from the Castle to tell him, That the Duke being sensible divers of their Men were wounded in the Trenches by his Cannon, to whom they durst not send Chyrurgeons, because of the danger, he would permit that their wounded Men should be carried off, in order to their Cure. To which it was replied, That they would take off their wounded Men when they pleased, without his leave.

Several Persons are seized here, as they were going up to the Castle with Letters to the Duke of Gourdon.

The Letters from Ireland give an account, That Tyrconnel came down to Colrane with 1000 Horse, and 5000 Foot, (which is the greatest part of his Forces, except a numerous Rabble) and made three fierce Attacks on that little Town, and was as often repulsed by the Protestants there, with considerable loss to the Assailants.

April 5. The House ordered That the Earl of Marr name his inferior Officers, in the Government of the Castle of Stirling, and be answerable for their fidelity.

Ordered, That the Earl of Marr furnish Provisions to the Earl of Pearth, late Lord Chancellor, Prisoner in the Castle of Stirling ; but that the Earl of Pearth's Servants there, should not be allowed to go out of the Castle : And that the persons formerly allowed to speak with him, should have no access for the future.

Ordered, That the President and Earl of Marr advise with Major-General Mackay, anent the fittest Persons to be employed by the said Earl in the Government of Stirling Castle, and to Report.

Mr. Richard Hay, and Dr. Thomas Niccolson, Prisoners, being both in Popish Orders, allowed to go out of the Kingdom, upon security that they go not to England nor Ireland; And that the President subscribe Passes to them for that effect; and that they Enact themselves not to return.

The Thanks of the House ordered to be given to the Earl of Marr, for his care of the Castle of Stirling; and that he exhibit and estimate of his Expence upon the Company and Officers, maintained by him there since Candlemas last, besides the old Garison.

The Burgesses of Edinburgh, ordered to Elect new Magistrates and Council.

An Act passed for that purpose, as follows :

*(The Act empowers the burgesses of Edinburgh to meet in St. Giles' church on 10th April at 8 a.m. to elect 25 persons to be the magistrates and ordinary Council. See A.P.S. ix. 34-5.)*

The Earls of Eglington and Forfar, the Lairds of Lamington<sup>1</sup> and Pollack,<sup>2</sup> Mr. James Cockram<sup>3</sup> and James Gourdon of Craighley,<sup>4</sup> named a Committee to consider the Instructions given by the Privy Council anent the Militia in the year 1668. And to make such alterations therein, as is necessary for the present Posture of Affairs, and to meet at six a Clock this night.

The Petition of Alexander Yeaman and Robert Fife Prisoners, remitted to the consideration of the Committee formerly named, to examine the Prisoners, that they may set the Petitioners at Liberty or Report as they see cause. And Adam Gourdon of Dalfeily, named to be of the said Committee, in place of the Laird of Cullodden, and that they examine such other Prisoners as shall make Application to them for that effect.

<sup>1</sup> William Baillie of Lamington.

<sup>3</sup> Cochrane.

<sup>2</sup> Sir John Maxwell of Pollok.

<sup>4</sup> Craichlaw.

Mr. David Dunimuire allowed to speak with David Ludsay,<sup>1</sup> (late Servant of E. Melfort) of his Affairs, in presence of Provost Fletcher.<sup>2</sup>

A Warrant to Provost Gibson of Glasgow, to receive such small Arms from the Laird of Newark,<sup>3</sup> as were lately taken by him out of a Ship belonging to the said Provost.

The Earls of Anundaile and Dindonald added to the Committee for settling the Government, in place of the Marquis of Athol and Viscount of Tarbat, during their Absence.

The Committee for settling the Government are considering the Grievances, which are very many, and are to make their Report upon Monday next : Matters in the mean time are in a good forwardness ; so that by the next Post, it's hoped King William and Queen Mary will be Proclaimed King and Queen of Scotland.

Adjourned to Monday at Ten of the Clock, etc.

Preparations are made for the Storming of the Castle of Edinburgh, which is intended to be done in few days.

#### Number 10.

From Saturday April 13. to Tuesday April 16.

Edinburgh, April 8. 1689.

A Warrant granted to the Lord President to secure suspected Persons, as he shall receive Information against them, until they find Surety for the Security of the publick Peace. And orderd that his Grace desire Major General Mackay, to call into the Kingdom such of the English Forces under his Command, who are near the Scots Border, as he shall judg necessary for securing the Kingdom from Foreign Invasion, and Intestine Commotions.

The Heralds who denounced the Viscount of Dundee at the Market Cross of Forfar, Head-Burgh of the Sherifdom, wherein the Viscount dwells, being called, did verify their

<sup>1</sup> Lindsay.

<sup>2</sup> James Crawford.

<sup>3</sup> James Fletcher, Provost of Dundee.

Executions upon Oath, conform to the Custom in such cases.

Ordered, That the Artillery-men and Gunners receive two Months pay from James Oswald, General Receiver ; and that Sir Thomas Moncrief Clerk to the Treasury, make an accompt of the said Pay, and of what Arrears is due to the Protestant Soldiers, who came out of the Castle of Edinburgh, by order of the Estates, and Mr. Dougall of Garthland, Sir John Hall, David Spencer, and John Poswell<sup>1</sup> named as a Committee to consider the same, and to Report.

On a Petition given in by Mr. Pritchard Hay, a Popish Priest, for a Pass, to go forth of the Kingdom upon his enacting himself never to return, and that he should not go into England or Ireland. Ordered that a Pass be signed by the President.

The Nomination of the Officers of the Trainbands in the Town of Glasgow, read and approved.

The day to which the Lord Levingston was cited to appear before the Meeting, was again Prorogat till Thursday next. Adjourned till Thursday next.

April 9.

The Convention sat yesterday, but there was little done in it, for the Resolution of the Committee about the Bishops, was not brought in. There was a report made by the President of several Rumours concerning the Viscount of Dundee his gathering men in the North, whereupon the States did refer it to the President, and General Mackay, to give Advertisement, and Call in the English Army near the Borders of this Kingdom, as they should find cause. It was also ordered by the Convention, and remitted to the President and General Mackay, to secure all suspected Persons, and then the Estates adjourned to Thursday. That in the mean time the Grand Committee for Setling the Government might go on, and perfect the Preliminaries ; The Committee met yesterday afternoon, and have been Meeting all this Day ; they have gone thorough several

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<sup>1</sup> Boswall.

Points, as about the Bishops, which is concluded ; That about the King's naming of Officers with Consent of the Parliament, is as yet left unconcluded, the same being referred to the Convention, and may probably be referred to the King of England ; They went through all the Acts of the Duke of Queensberry's, and the Earl of Murray's Parliaments, and have censured the most part of them, and may probably rescind them both, since they are the Parliaments of the late King James. But this must be done after the Settlement of the Government. They have also considered the Expediency of frequent Parliaments, with several other particulars, which will be made publick by their Report to the House. The great Affair of Appeals from the Session to the Parliament fell in this day. This was an old Affair, begun in the year 1673. or 1674 when the Parliament would have proceeded against the Duke of Lauderdale, and the Lords of the Session put on by him and favourers of him ; for at that time upon Decision pronounced by the Lords of the Session, the Party grieved appealed from the Lords of the Session to the Parliament, and protested for Remedy of Law. The Lords of the Session took this in ill part, pretending the Session to be a Court. And when the Duke of Lauderdale got out of his Troubles, and got to the Court again. he procured a Letter from the then King, asserting the Privilege of the Session, That there lay no Appeal from it, and requiring the Advocates to acknowledge this. This the Duke of Lauderdale did to be even with the Lawyers, who were much against him, as the Lords of the Session were for him. This occasioned great Heats and Discontents, which came to that height, that all the Lawyers (except Eighteen) deserted the Session, which was like to occasion a great disorder. But Lauderdale would yield nothing ; and the Multitude of Lawyers turned out, made some Distraction in this Town. The Privy Council, the Winter following, banished all the Recusant Lawyers summarly, twelve miles off this Town ; which was thought at that time a very Arbitrary Act. This occasioned Sir George Lockhart (lately and basely murdered) and some others, to go to



London ; and about the year 1676, upon a Petition to the King, this matter was composed. Now this day this matter of Appeals was brought in, and it was easily agreed, That to Appeal and Protest for Remedy of Law, from any Court to the Parliament, was the Right and Privilege of the Subject. But one of the Members contended, That the Appeal from the Session, refused in the year 1674, was an Appeal pretending to syt<sup>1</sup> Execution, which the Law does not admit from any Sovereign Court, such as the Session is. But another Member alledged, and made it appear, That all the Appeal then made, was only a Protest for Remedy of Law, without any syst of Execution. This Contest occasioned the Question, Whether the Banishment of the Lawyers at that time was not Illegal ? And it was found so Arbitrary an Act, that it was resolved, That it should be declared Illegal.

This day we had a person examined by the Committee, who came from Dublin Friday last ; who being examined, depones, That he saw the late King James at Dublin. That he landed in Ireland on the 12th of March last, That he came to Dublin the 24th of March last ; that he saw with him the Earl of Melfort, and some others whom he named ; That the late King had caused condemn a Protestant Captain, who was Hang'd, Drawn, and Quarter'd ; That he had turned out one Colonel Newcomb, the Earl of Tyrconnel's Brother in law, only because a Protestant ; That the Duke of Berwick was sent with a Body of Men to the North of Ireland ; And that King James was to follow him with the rest of the Army the 9th instant ; And that the Irish will be 50000 Men, tho not a third part good Soldiers. This man is very positive in his Report. These things somewhat alarm us : for if the late King James have Boats, he may be soon in Scotland. Our whole Countrey therefore is preparing to oppose his descent, which, with the English Forces now in the Borders, will make a very formidable Army.

The Duke of Gourdon holds out, and has shot much this week with his Cannon and Small-shot, to hinder the casting

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<sup>1</sup> sist.

up Trenches ; which are now so high and solid, that the Cannon is not able to prejudice them.

The Duke of Queensberry, Marquis of Athol, and the Viscount of Tarbet, came not to the Convention or Committee. It's said, That the Earl of Bradalbin is gone to his own House. The Committee is very forward to conclude the Settlement, which, it's believed, will be done upon the Coronation-day of England.

One Bredye, the Earl of Murray's Servant,<sup>1</sup> who pass'd through Scotland eight days before the meeting of this Convention, to Ireland, is come back from Dublin, and is taken at Greenock near Glasgow, with many private Letters, and other Writings, from King James to several persons : To morrow he is to be brought into this City ; and when examined by the Convention, and the Writings perused by them, it is hoped and believed that this will make a great and seasonable Discovery. The Magistrates of Edinburgh are to be chosen to morrow.

The Viscount of Dundee's Letter to the Convention.

Dudhope, March 27. 1689.

May it please your Grace,

The coming of an Herauld and Trumpeter to summon a Man to lay down Arms, that is living in peace at home, seems to me a very extraordinary thing, and I suppose will do so to all that hear of it. While I attended the Convention at Edinburgh, I complained often of many Peoples being in Arms without Authority, which was notoriously known to be true, even the wild Hill-men : And no Summons to lay down Arms, under the pain of Treason, being given them, I thought it unsafe for me to stay longer among them. And because some of my Friends did me the favour to convey me out of reach of these Murtherers, and that my Lord Levingston and several other Officers took occasion to come away at the same time, this must be called being in Arms. We did not exceed the number allowed by the Meeting of Estates : my Lord Levingston and I might

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<sup>1</sup> Francis Brady, servant of the Sheriff of Bute ?

have had each of us Ten ; and four or five Officers that were in Company might have had a certain number allowed them ; which being, it will be found we exceeded not. I am sure it is far short of the number my Lord Lorne was seen to march with. And tho I had gone away with more than ordinary, who can blame me, when Designs of murdering me was made appear ? Besides, it is known to every body, that before we came within sixteen miles of this, my Lord Levingston went off to his Brother my Lord Strathmoir's House ; and most of the Officers, and several of the Company, went to their respective Homes or Relations : and if any of them did me the favour to come along with me, must that be called being in Arms ? Sure, when your Grace represents this to the Meeting of the States, they will discharge such a groundless Pursuit, and think my appearance before them unnecessary. Besides, tho it were necessary for me to go and attend the Meeting, I cannot come with Freedom and Safety ; because I am informed, there are Men of War and Foreign Troops in the Passage ; and till I know what they are, and what are their Orders, the Meeting cannot blame me for not coming. Then, my Lord, seeing the summons has proceeded on a groundless Story, I hope the Meeting of States will think unreasonable I should leave my Wife in the Condition she is in. If there be any body that, notwithstanding of all that is said, think I ought to appear, I beg the favour of a delay till my Wife be brought to Bed, and in the mean time I will either give Security or Paroll not to disturb the Peace. Seeing the Pursuit is so groundless, and so reasonable things offered, and the Meeting composed of prudent Men, and Men of Honour, and your Grace presiding in it, I have no reason to fear further trouble. I am,

May it please your Grace,

Your most humble Servant,

*Sic subscribitur, Dundee.*

Postscript.

I beg your Grace will cause read this to the Meeting, because it is all the Defence I have made. I sent another

to your Grace from Dumblain, with the Reasons of my leaving Edinburgh : I know not if it be come to your Hands.

Number 11.

From Tuesday April 16. to Saturday April 20.

Edinburgh, April 11. 1689.

A Proclamation relative to the Instrument of Government, for Proclaiming the King and Queen of England, etc. King and Queen of Scotland, Read, Voted, and Approven, and Ordered to be Proclaimed immediately after Adjourning the Meeting, and is as follows.

*(The text of the proclamation is given in A.P.S. ix. 40-1.)*

April, 12.

The Report of the Committee about the Arrears of the Two Companies of the Garison of Stirling, read and approved, extending to 471. l. 2 s. sterling. And a Warrant to the President to draw precepts on the Receivers of the Revenue for their Payment.

Upon a Petition for the Town of Dundee, Ordered, That new Magistrates be Elected in the said Burgh, by the Plurality of the Burgesses upon the 18th day of April instant. And the Lairds of Powrie,<sup>1</sup> Naughtoune,<sup>2</sup> and Lundie,<sup>3</sup> or any of them ordained to be present to see the Election.

Ordered then by a Vote, That no Member absent himself from the Meeting, without leave of the Estates, under the pain of Imprisonment, excepting the Earls of Levin and Selbie,<sup>4</sup> and George Stirling, Chyrurgion. And that a Proclamation be drawn, and Published accordingly.

The E. of Tweddale allowed to pass into England, for his Health.

Ordered, That a 100 Granadoes be delivered by the

<sup>1</sup> David Fotheringham.

<sup>2</sup> Peter Hay.

<sup>3</sup> Alexander Duncan.

<sup>4</sup> Selkirk.

Keeper of the Magazine of Stirling, to Capt. Hamiltoun, or his order, for the use of the Frigats appointed to Cruize on the West Coast.

Ordered, That Capt. Bryce and his Company, go aboard, and serve the Estates in these Two Frigats.

The L. Carmichael allowed to go home to his House for some time ; and to return with all convenient dispatch.

Sir Ja. Dalrymple, Mr. Ja. Ogilvie, and Mr. W. Hamiltoun named as a Committee to consider of a Proclamation, That none speak or write against the Government.

Ordered, that Capt. Broune seize such Canon as he can find fit for the use of the two Frigats, wherever they may be ; and the Owners be paid for them by the Estates.

Ordered, That the E. of Pearth be made a close Prisoner, and have but one servant close Prisoner with him. And that his Lady be removed from him. And a warrant to the E. of Marr, Governor of the Castle of Stirling, for that effect.

A Warrant to the Laird of Dun,<sup>1</sup> to secure some Fire-Arms in the hands of John Broun, Skipper in Leith.

Adjourned till Ten a Clock to morrow.

April 13. After the calling of the Rolls, the Duke of Queensberry and Marquis of Atholl excused for being absent.

The Proclamation against the owning King James, was Reported from the Committee, and approv'n in the Terms following.

A Proclamation against the Owning of the late King James, and Commanding publick Prayers to be made for King William and Queen Mary.

*(The text of the proclamation is given in A.P.S. ix. 43.)*

Ordered, That the Proclamation of the King and Queen of England, and King and Queen of Scotland, be Proclaimed at the Mercat-Crosses of all the Royal Boroughs within this Kingdom ; and that the Respective Magistrates Concur in their Formalities when it is Proclaimed.

<sup>1</sup> David Erskine.

The Earl of Glencairne, and Lord Duffus, the Lairds of Caddell<sup>1</sup> and Lamingtoun, Mr. James Ogilvie, and the Laird of Luchett,<sup>2</sup> named as a Committee to Consider the Condition of the present Magistracy and Council in the respective Boroughs, and to Report. The Lord Belhaven, named Captain of the Militia Troop in East Lothian, in place of the Laird of Saltoun,<sup>3</sup> and that he name his under Officers.

A Proclamation, That the Militia stay only two days together, instead of the six days for their first meeting, and that the Officers Report to the Estates the Condition of the Respective Regiments and Troops; and if the Souldiers receive more Pay than for the time of their stay together, that they refund the same to their respective Leaders, was Ready and Approven.

Upon a Petition by some Irish Protestants, Ordered, That their Goods may be Unloaded without paying Custom, until the same be either sold or otherways disposed upon.

Robert Brown's Petition Remitted to the present Magistrates of Edinburgh, to set him at Liberty, or not, as they shall find just.

Then the Grievances were reported from the Committee for settling the Government, and read, and after Arguing upon the particular Articles, They were Voted and Approven in the Terms following.

The Estates of the Kingdom of Scotland do Represent, That the Committee of Parliament, called the Articles, is a great Grievance to the Nation, and that there ought to be no Committees of Parliament, but such as are freely Chosen by the Estates, to prepare motions and Overtures that are first made in the House.

That the first Act of Parliament, 1669, is Inconsistent with the Establishment of the Church Government now desired, and ought to be Abrogated.

That Forfaultures in prejudice of Vassals, Creditors, and Airts of Entaile, are great Grievances.

<sup>1</sup> Sir Hugh Campbell of Cawdor.

<sup>2</sup> Alexander Spital of Leuchat.

<sup>3</sup> Andrew Fletcher.

That the Obliging the Leidges to Depone upon Crimes against Delinquents, otherways than when they are adduced in special Processes as Witnesses, is a great Grievance.

That the Assizes of Error are a Grievance, and that Juries be considered by the Parliament.

That the 18th Act of Parliament, 1681, Declaring a Cumulative Jurisdiction, is a Grievance.

That the Commissaries Courts as they are now Constitute, are a Grievance.

That the 27th Act of Parliament, 1663, giving to the King Power to impose Custom at pleasure upon Foreign Import and Trade, is a Grievance, and prejudicial to the Trade of the Nation.

That the not taking an effectual Course to repress the Depredations and Robberies by the Highland Clannes, is a Grievance.

That the Banishment by the Council of the greatest part of the Advocates from Edinburgh, without a process, is a Grievance.

That most part of Laws enacted in the Parliament, *Anno* 1685, are impious and intolerable Grievances.

That the Marriage of a King or Queen of this Realm to a Papist, is dangerous to the Protestant Religion, and ought to be provided against.

That the Levying or keeping a foot a Standing Army in Time of Peace, without consent of Parliament, is a Grievance.

Mr. Bready that was seized in Greenock, was yesterday examined before a Private Committee, and seems to be very free to discover all he knows. The E. of Balcharras, L. Louthon, Lieutenant Collonel Belfoure, are seized and imprisoned; and upon Bready's Discovery it's thought more will be likewise seized.

The Committee for securing the Peace of the Kingdom, appointed to meet at Three a Clock on Monday next.

Adjourned till Ten a Clock on Tuesday next.

*On Monday next will be Published, The Instrument of the Government of Scotland.*

Number 12.

AN  
INSTRUMENT  
OF  
GOVERNMENT,  
For SETTLING the  
CROWN and REGAL DIGNITY  
OF THE  
Kingdom of Scotland

Upon WILLIAM III and MARY II.

KING and QUEEN of *England*, &c.Being the DECLARATION of the Estates  
of that Kingdom, to be Presented to the  
King and Queen of *England*, &c.

Edinburgh, April 11. 1689.

*(The text of the Instrument is given in A.P.S. ix. 38-40.)*Ordered, That the Instrument of Government be recorded  
and kept, together with the other Publick Registers of the  
Kingdom.



A Proclamation relative to the Instrument of Government for Proclaiming the King and Queen of England, and King and Queen of Scotland, Read, Voted, and Approven : And ordered to be Proclaimed immediately after adjourning the Meeting.

The Proclamation is already Printed.

An Act then past, That the Estates should continue their Meeting and Procedure as formerly, until the King and Queen of England should make their Acceptation of the Crown of this Kingdom And their Majesties taking the Coronation Oath, known to the Estates.

Finis.

Number 13.

From Saturday April 20. to Tuesday April 23.

Edinburgh, April 16. 1689.

After calling the Rolls, The Earl of Tweddale, and Sheriff of Boote, were excused, being absent by Sickness.

The Report from the Committee for putting the Kingdom in a Posture of Defence, was read, bearing, that the fourth Part of the Horse Militia, mentioned in the 27. Act of Parliament first Sess. 3d. K. Ch. 2d. Extending the said fourth part to 501. Horsemen, be raised and mustered by Major Hew Buntine, or such Persons as he shall appoint, who are to accept of no Horse men, whose Cloaths, Arms, Horse and Furniture, are not worth 15 l. sterling, whereof the Horse is to be worth ten. And that they be provided by the respective Shires, with ten days maintenace, and thereafter be entertained at the King's pay for his Majesties Service in Troops ; the Times and Places of their Rendezvouz, and Commanders to be appointed by the Committee ; and that the Respective Leaders and Commissioners of the Militia, meet eight days before the respective days of the Rendezvouz, in the several Shires, to adjust the proportions:

And that all Papists in the Kingdom be bound to sell such of their Horses as are above 8 l. price, for the publick Service, at reasonable rates ; and being Voted, Approve or not, It was carried in the Affirmative.

An offer made by the Earl of Mareschal of his Castle of Dunnator, to be Garisoned for the Kings Service, Provided he have warrant to put sixty men under his own command therein, to be entertained by the King's pay, was read and approven, and an act ordered to be drawn accordingly.

Ordered that an imbargo be put upon all manner of Boats in the Western parts and Harbours of this Kingdom, which might be made use of in case of an Invasion from Ireland ; And that a warrant be given to the Laird of Greenock,<sup>1</sup> to secure such Boats on both sides of the River of Clyde, and in the shire of Reufrew ; to the Laird of Bishoptown,<sup>2</sup> to secure such as are in the Bailery of Cuningham ; to the Laird of Corsbie<sup>3</sup> in that of Kyll ; to the Lord of Dunduff<sup>4</sup> in Carrick ; to the Magistrates of Aire, Irvine, and Kircudbright ; in their respective Burghs to Young Lochnaw<sup>5</sup> in the Shire of Wigtoun, to the Lairds of Carlsruh<sup>6</sup> Cavens<sup>7</sup> Alexander<sup>8</sup> of or any one of them in the Stewartry of Kircudbright : The Laird of Escog<sup>9</sup> in the Isle of Boote, The Duke of Hamilton's Bailiff in the Isle of Arran, The Laird of Calder<sup>10</sup> or his Bailiff, in the Isle of Ila, and the Earl of Argyle, or such as he shall please to Name, in the rest of the Shire of Argyle.

An offer made by the Earl of Argyle to raise 300 men, in the Shire of Argyle, and the Isles within the said Shire for the Publick Service, to be commanded by himself ; And in his absence, by Sir Duncan Campbell of Auchnabreck, providing the Earl have the naming of the Officers who shall Command them. And that the Souldiers receive pay from the time they shall be mustered, and the Officers enter in Pay after two Months Service on their own

<sup>1</sup> Sir John Shaw.

<sup>2</sup> William Fullerton.

<sup>3</sup> James Agnew.

<sup>4</sup> George Murray.

<sup>5</sup> Thomas Alexander, factor to Baldoone.

<sup>6</sup> John Stewart of Ascog.

<sup>7</sup> Robert Brown.

<sup>8</sup> James Whitefoord of Dunduff.

<sup>9</sup> Robert Brown of Carlsruith.

<sup>10</sup> Sir Hugh Campbell of Cawdor.

charges, being Read, was approvén; and a Commission Ordered to be drawn accordingly.

A motion by the President, That a Garison of Forty men be put in, and maintained on the publick charge, in his Castle of Arran, was Read and approvén.

Upon a Report from the Committee for examining the Prisoners, It was ordered, That such as were in Prison for intercommuning with the Garison of the Castle of Edinburgh, since the denunciation against them, should continue in Prison till their Case were farther considered; Except the Duke of Gordon's Coachman, and one Ritchie Litster in the Common-gate,<sup>1</sup> who were ordered to be set at Liberty.

A Petition by the Earl of Belcarras for his Liberation, was read, and the consideration thereof delayed till the next sedernut of the meeting.

A Petition by the Lord Lochour,<sup>2</sup> Lieutenant-Collonel Balfour,<sup>3</sup> the Lairds of Laffriese,<sup>4</sup> Killoch,<sup>5</sup> and Letham,<sup>6</sup> was read, and the Three last ordered to be set at Liberty, on Caution by each of them, for 10000 marks for their keeping the peace, and compearing when called. And the Case of the first two remitted to the Committee for securing the Peace; And that they make report thereof at the next sedernut of the Meeting.

It was then recommended to the Committee to make the report to the next Sedernut of the Meeting, of the Regiments of Foot to be raised for the publick Service; and the manner of levying them. And likewise that the Committee prepare a report of the representation to be made to his Majesty anent the Union, with all diligence.

Sir Alexander Gibson Clerk, ordered to draw the Coronation Oath out of the Act of Parliament 1567, to be considered in the Committee.

The Earl of Louthan, the Lairds of Skelmorley and Polwort, and Sir John Dalrimple named as a Committee to draw a Letter from the Estates, to be presented to the

<sup>1</sup> Canongate.

<sup>3</sup> John Balfour of Fairnie.

<sup>5</sup> Balfour of Kinloch.

<sup>2</sup> Alexander Malcolm of Lochore.

<sup>4</sup> Patrick Seton of Lathrisk.

<sup>6</sup> Unidentified.

King, with the offer of the Crown ; and to bring it into the Meeting of the Estates.

A Petition, by the Daughters of Macknitsh of Conadge,<sup>1</sup> for a sequestration of Wrytes, was Read and Ordered to be seen and answered by any having Interest, against Thursday next.

Upon a Petition by the Magistrates of Edinburgh, bearing, that the Foot Company under the Command of Lieutenant Collonel Graham, were of more charge than of Use to the Town, and should therefore be Disbanded : The Vote was asked, Disband or not ? and was carried in the affirmative.

An Act then past for a new Election of Magistrates and Town-Council of Rothesay, by the Pole of the Burgesses upon the 29th. day of April instant ; and that the Lairds of Kaimes<sup>2</sup> and Escog, or any one of them, be present to see it executed.

Ordered that the Committee for the Peace sit this Afternoon at Five of the Clock.

Adjourn'd then till Thursday at Four of the Clock.

#### Number 14.

From Tuesday April 23. to Saturday April 27.

Edinburgh, April 18. 1689.

The Act about the Model of the Horse Militia, was read, as follows.

The Act for the Levying Horse for the Security of the Kingdom. Edinburgh, the 18th of April, 1689.

*(The text of the Act is given in A.P.S. ix. 47-8.)*

The Report from the Committee for securing the Peace about the Imprisonment of the Earl of Belcarras, and those who were secured with him, was considered, and a Letter directed to the Earl from the late King ; and another

<sup>1</sup> Alexander Mackintosh of Connage.

<sup>2</sup> Hector Bannatyne.

from the Laird of Cullean<sup>1</sup> to him ; and a third to him from the Earl of Melfort ; a fourth from the late King to the Viscount of Dundee ; and another to the said Viscount from the Earl of Melfort. And after reading these Letters, a Macer or Officer was commanded to intimate it to the keeper of the Prison, that the Earl be made a close Prisoner, and should have neither Pen, Ink, nor Paper allowed to him : And Sir John Hall, Lord Mayor of Edinburgh, appointed to see the Estates Order executed immediately ; and a Warrant given him to employ Keepers and Servants in the publick Prison, for whom he shall be answerable.

The report of the said Committee about the Commissions given to the Earls of Glencairne, Lord Angus, Blautyre, and Bergany, to Levy and Command four Regiments of Foot to be Armed on their own Expences, and getting the Kings Pay after they are mustered.

The Lord Angus's Regiment to consist of 1000 men, each of the rest of 600, with power to Name their under Officers, Read and approven, and ordered that the Commissions be drawn in the terms of the Report.

Ordered, that one servant be allowed to remain close Prisoner with the Earl of Belcarras, and that Geo Stirling Chyrurgion, be allowed access to him as often as he shall desire it.

Ordered by a Vote that the Lord Lochore remain in Prison, but that he be not close Prisoner.

Ordered, that the Letter brought to the Estates from the King, by the Lord Ross, be Printed.

The Coronation Oath then read and approven.

The Report of the Committee about the Lord Levingston's case being read, the said Lord was allowed to go home and reside at his own house, and do his affairs, having given his Parrole of Honour to Live peaceably under this present Government.

The report of the said Committee anent the Petition for the Brittish Protestants, being Read. It was ordered, That notwithstanding of the Embargo, such Ships as the Petitioners could agree with, be allowed to sail for Ireland

<sup>1</sup> Sir Archibald Kennedy.

to transport such of the said Protestants as they could to this Kingdom; and that one of the Frigats in the Service of the Estates should convoy them for their security.

Then the Committee appointed to consider the case of Magistrates and Town Council in the Royal Burghs, made their report; That in regard of the Incroachments on the Freedoms of Elections, the Estates should grant warrant, to elect new Magistrates and Town Councils, in all the Burghs of the Kingdom by the Pole of Burgesses, bearing burden in the respective Burghs and a representation by the Magistrates of Aberdeen why they should continue in their Magistracy until the next annual Term of Election, with a Letter, directed from the Earls of Erroll<sup>1</sup> and Marschal, to the Privy Council relative to their election, being read, it was put to the Vote, Approve or delay giving warrant for a new Election of Magistrates and Council for the Burgh of Aberdeen, and carried it should be delayed.

It was then Voted, if the Report should be approved or delayed, as to all other Burghs, and carried Approved.

The Committee for settling the Government ordered to sit at six a clock this Afternoon.

The Viscount of Dundee having, fled to the North Parts of this Kingdom with about 80 Horse, a strong detachment of Horse is sent after him to seize him and his Party.

Upon Sunday last, Mr. Alexander Hamilton Preacht before the Convention in the forenoon upon Isa. 25. 9. And Mr. Meldrum in the afternoon on Zech. 8. 19.

The Magistrates of this City, are ordered to appoint Ministers to Preach before the Convention hereafter, who have appointed Mr. Law and Mr. David Blaire for the next day. All the Town Ministers read the Proclamation, only two strangers who preacht here refused to read it; and one of them, Mr. Broom of Kilmaurs<sup>2</sup> prayed expressly for the late King James.

There are so many of the Nobility and Gentry offers to raise new Regiments for his Majesties service, that the Convention only chuses such as they think fit.

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<sup>1</sup> Erroll.

<sup>2</sup> George Brown, Minister of Kilmaurs.

The Union is to be proposed in Trade, Parliament and Sess, but neither in Law nor Gospel, that is to say, that We keep our own Laws and Church-Government.

The Commissioners that are to be sent to our King will be named to morrow.

There was a Petition from the Lady Pearth, to be made a close Prisoner with her Husband, (the late Chancellor) which was denied by the Convention, she being near her time of Delivery ; some suspecting a Design for his escape. if she lay in in the Castle of Stirling, several women being necessary to have waited upon her at that time, by whose means he might be conveyed away.

Some Members of the Convention are for making a Recess till the return of the Commissioners from London, and incline that a new Parliament be called ; others are for continuing the Convention, and think it may be turn'd to a Parliament as in England.

There was also a Person taken (since Bredy's Imprisonment) with two Letters in the boards or cover of his Bible, from the Earl of Tyrconnel.

Liutenant General Mackay's Men, and the Castle, fire fiercely one at the other ; this day more Cannon, Mortarpieces, Bombs, &c are arriv'd from London, so that speedily there will be smart work betwixt them.

Mr. Bredy's Letters were produced to the Convention. There is one from the late King James, and another from the Earl of Melfort to the Viscount of Dundee and the Earl of Belcarras, referring to Letters written formerly by them, and sent by Sir Kennedy<sup>1</sup> and these Letters express, that the late King James hath 40000 men in Ireland, and that he will speedily be in case to give them effectual Assistance, that in the mean time he can send over 5000 Foot, 100 Horse, and 100 Dragoons desiring them to send an exact account of the Country, and how affected, and that till they do that, he can send them no Assistance ; Requiring them likewise to call together as many of the Bishops and Burgesses as they can to hold a Convention in the late Kings Name and Melforts Letter

<sup>1</sup> Sir Archibald Kennedy of Culzean.

tells them that he hopes to be merry with them in Scotland, and to have all Losses made up by Forfaultures, and declares that they will destroy all the Members of the Convention, but as to the Commonalty (he says) that he will make them Gideonites, hewers of Wood and drawers of Water for their Catholick Friends the only true Israelites indeed. There is also another Letter to the late Lord Chancellor the Earl of Pearth and many other Letters to other Persons, but it's not thought fit to publish them as yet.

Upon these Letters, the Earl of Belcarras, Lord Logbore,<sup>1</sup> and Lieutenant Collonel Belfour are continued in Prison, the rest let out upon Bail to answer when required.

There is a strong Report here, that a Vessel going from Ireland to the Highlands with 6000 stand of Arms, was forced by stress of Weather on our Western Coast at a place called Salt-Coats near Irvin, is seized ; of which we expect a Confirmation to morrow.

#### Number 15.

From Saturday April 27. to Tuesday April 30.

Edinburgh, April 19. 1689.

After calling the Rolls, the Marquis of Atholl was excused for Absence, being Sick.

A Warrant for a new Election of Magistrates, and Town-Council, in the Burgh of Irvine, was read and approven.

The Report of the Committee for the Securing the Peace, about the offers made by the Earls of Argyle and Marr, the Viscount of Kenmure, and the Laird of Grant, of a Regiment of Foot, to be Levied for the publick Service, by each of the said Persons, each Regiment to consist of 600 Men, divided in ten Companies, providing the said Persons should Command each his own Regiment, and have Power to name their under Officers, and that each Company completely Levied, should be payed both Officers and Soldiers

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<sup>1</sup> Lochore.



by the Publick, after they are Mustered: and that the Collonels, Lieutenant Collonels, and Majors, should not have the Pay of Collonels, Lieutenant Collonels, and Majors, until the respective Regiments were compleat. And another offer made by the Laird of Polwort, of a Troop of 50 Horse, to be Commanded by the young Laird of Polwort, as Captain, and that he have Power to name his under Officers. And also, that Drummond Castle, and other fit Places for Suppressing Insurrections in the Highlands, be Garrisoned, was read and approvén, and Commissions ordered to be drawn accordingly.

An offer made by the Lord Cardross, for Levying Dragoons, was remitted to the Committee.

The Nomination of the Captains of the Troops of Horse to be Levied by the Act of the Estates, remitted to the said Committee.

The Report of the Committee, for considering the Magistrates of Burghs, that a new Election should be made in Aberdeen, as in other the Burghs of the Kingdom, was read and approvén.

Ordered, That the Clerks to the Meeting of the Estates, give out Extracts of the Act for new Elections of the Magistrates and Town-Council of Burghs, to such of the respective Commissioners from Burghs, or other Burgess, who shall require the same. And Report from time to time, to the Estates or Committee of them then Sitting, the days and Overseers of the respective Elections before given, out of the respective Extracts.

A Petition by George Drummond, present Keeper of the Tolbooth of Edinburgh, with another from Arthur Udny, late Keeper thereof, were read. And the Lords Carmichell and Ruthven, Sir Ard. Murray, and Sir Robert Sinclair, Mr. James Ogilvie, and Sir John Hall, named a Committee to consider the Grounds of both the Petitions, and to Report.

The Act about the Imbargo in the West being again considered, and some amendments given in, That the Persons appointed to execute it, may appoint Deputes, and have concurrence of Magistrates, &c. And the Laird

of Dunskey<sup>1</sup> and Macdugall Mayor of Logan,<sup>2</sup> or any one of them, be added to execute the Imbargo in the Shire of Wigtoune, and order that the Act go out accordingly.

Ordered, That the Ball and Granadoes seized in John Trotter's House, by the Povost of Edinburgh, be given out for the use of the two Frigats, and that the Arms and Partizains, be kept by the Town of Edinburgh.

Ordered, That an Act be drawn, authorizing certain Persons to value the two Frigats, to the end the Publick may refund the Owners, in case the Frigats be lost, or deterioriate through a Sea-fight, or other Attempts of the Enemy.

On a Petition, by Mr. Harvy, the Estates order, That the Petitioner be not molested in his Person, Goods, or Concerns, by any Person whatsoever, otherwise than by Order of Law.

A Petition by Sinclair of Ratter, ordered to be seen and answered by any having Interest.

Ordered, That the Committee for Securing the Peace, Sit at three a Clock.

Adjourned till Monday, at ten a Clock.

April 22. After calling the Rolls, the Viscount of Tarbat, Sir George Mackenzy and Sir Duncan Cambell's absence was excused, being all sick.

Then the Committee for putting the Kingdom in a posture of Defence, reported the Names of the Captains to command the several Troops of the Horse-Levies in the method of the Act anent the Militia, as follows: The Earl of Eglington Captain of the Troop to be levied in the Counties of Aire and Renfrew, the Earl of Anandaile of that in the Counties of Drumfries and Wigtown, the Lord Yester of that in Haddingtown and Berwick Counties; the Lord Newbottle of that in Roxburgh and Selkirk Counties, the Lord Ross of that in Peebles, Linlithgow, and Edinburgh Counties; the Lord Balhaven of that in Lanerk, Striveling, and Clackmannon Counties; the Lord Rollo of that in the Counties of Forfar, Kincarden, and the Earl of Marshall's Division of Aberdeen County; the Counties of Bomff, Murray, Nairne, and the Division in the County of Inver-

<sup>1</sup> John Blair.

<sup>2</sup> Robert Macdougall younger of Logan.

ness, lying East of the Water of Ness; the Laird of Blaire<sup>1</sup> of that in Pearth; Sir Charles Hacket Captain of the Troop to be levied in the Counties of Fyfe in<sup>2</sup> Kinross; those to be levied in the Division of Inverness County, lying West of the Water of Ness, in the Counties of Ross, Sutherland, and Caithness, to be divided among the respective Troops, for making each of them fifty Horse complete. Which was approved by the Estates; and an Act made accordingly, and the Commissions ordered to be given out to the respective Officers.

The Lord Angus's Regiment ordered to consist of 1200 Men, to be divided in twenty Companies, to be levied, armed, commanded and paid in the terms of the former offer.

The Letter from the Estates to His Majesty, to be presented with the Offer of the Crown, was brought in from the Committee, and read.

A Motion made by the Earl of Crawford, That a Clause might be added to the Letter, of an humble Request to the King to turn this Meeting of the Estates to a Parliament: the consideration whereof was delay'd, till the Letter, as it was brought in, was considered.

The Earl of Cassels moved, That the naming of a Committee to treat the Union in behalf of this Kingdom, if it was to be done at this time, might be left to his Majesty; And after arguing the matter, it was put to the Vote, Name Commissioners at this time, or not? and carried in the Affirmative.

Then the Letter was considered by distinct Paragraphs; and being put to the Vote, the Duke of Queensberry, Marquis of Athol, the Earls of Cassels and Kintore, approved of it, excepting the Clause relating to the Petition of Right, and the Grievances: But the entire Draught, as it came from the Committee, was approved by the Plurality.

The Estates then proceeded to consider of adjusting the Clause about the turning of this Meeting into a Parliament; And after arguing upon it, the matter was remitted to be further considered by the Committee for settling the Government, this afternoon, to be reported to morrow.

<sup>1</sup> John Drummond.

<sup>2</sup> and.

Then the number of the Commissioners appointed to treat the Union, was considered ; and after it was agreed to, without a Vote, that the President should be supernumerary, The Vote was stated for Eight or Six Commissioners out of every Estate, and carried for Eight.

The Vote then stated, Whether one or more of every Estate should be sent with the offer of the Crown ? and carried for one of every Estate.

Ordered, That the Committee appointed for quartering of the Horse and Dragoons from England, sit this afternoon at five a Clock.

Adjourned to ten a Clock to morrow.

April 23 After calling the Rolls, Ordered, That the Governour of Dunbarton-Castle give out for the use of the two Frigats, Shot for their Cannon, and 400 Firelocks ; he getting from the Keepers of the publick Arms at Glasgow as many Musquets with Match-locks.

Ordered, That an Embargo be laid on all Ships going to France, or elsewhere beyond-Sea, without caution, That they sail not for France or Ireland.

The Report of the Committee for regulating Quarters for the English Horse, was brought in, and an Act ordered to be drawn, bearing the Price of Hay, Straw, and Oats, to be 3d. for Straw to every Horse for a night, 4d. for Hay, and 6d. for every Peck of Oats ; and that Extracts of the Act be given by the Clerks from time to time as the same shall be required by Major-General Mackay, or his Order.

A Motion was made, That Commissairs be appointed to make Magazines of Provisions for Horse-Meat at certain convenient places within the respective Counties : But the further consideration thereof continued to the next Meeting.

An Act past, approving and accepting of the Offer made by the Lord Cardross of a Regiment of Dragoons, to consist of six Troops, at fifty in each Troop : he naming all the Officers, except the Collonel, to be named by the King, and their Dragoon-Arms to be furnished by the Estates ; and that the Troops be paid after mustering of each Troop.

The Report of the Committee for putting the Kingdom in

a posture of Defence, anent the offer made by the Laird of Grubbet younger,<sup>1</sup> of a Troop of 50 Horse, he having the Command of it as Captain, and power to name the under-Officers, and getting Pay when the Troop is complete and mustered, was read and approvèn.

Then the Clause added to the Grievances, about the requesting the King for turning the Meeting into a Parliament, was reported from the Committee for settling the Government; And after it was argued at great length, it was put to the Vote, and carried Approvèn.

It was then moved and agreed to, That the said Request should be sent by way of Representation to the King, in a Paper distinct both from the Letter and Grievances.

Then the Commissioners to treat about the Union, were named by the Plurality, as follows: The Earls of Argyle, Crawford, Lothian, Anandail, Tweddale; Lords, Ross, Cardross, and Melvill; Barons, Skelmorley, Ormistown,<sup>2</sup> Blackbaronny,<sup>3</sup> Racebrigg,<sup>4</sup> Polwort, Grant, Rivartown,<sup>5</sup> and Blair; Burroughs, Sir John Hall, Sir John Dalrymple, Sir Charles Hacket, Mr. James Ogilvie, Provost Fletcher, Mr. William Hamilton, Mr. John Murray, and Provost Muire.

Ordered, That from amongst these Twenty-four, one of every Estate be offered to go with the Offer of the Crown to morrow.

Adjourn'd then till to morrow ten a Clock.

### Number 16.

From Tuesday April 30. to Saturday May 4.

Edinburgh, April 24. 1689.

The President moved the Estates should proceed to name the three Members, one out of each Estate, who were to be sent to wait on Their Majesties with the Offer of

<sup>1</sup> William Bisset.

<sup>2</sup> Sir Archibald Murray.

<sup>3</sup> Thomas Drummond of Riccarton.

<sup>4</sup> Adam Cockburn.

<sup>5</sup> Sir John Maitland of Ravelrig.

the Crown; and it was carried by a Vote, That the three Members should be, the Earl of Argyle, Sir James Montgomery, and Sir John Dalrymple.

The following two Articles were ordered to be added to the Grievances, viz.

I. 'That all Grievances relating to the manner and measure of the Leiges their Representation in Parliament, be considered, and redressed in the first Parliament.

II. 'That the Grievances of the Burghs be considered, and redressed in the first Parliament.

The Address to the King for turning the Meeting into a Parliament, was then read and approved.

The Lord Cardross obtained liberty of the Estates to go for London.

Ordered, That the Clerks bring in to the next Meeting the Names of such of the Members of the Committee formerly appointed for settling the Government, as are employed either to wait on the King by Order of the Estates, or in the Command of the Forces in their Service, to the end the Estates may name as many in their place, and appoint that Committee to sit, and give such Orders as may be necessair for the Government and publick Peace of the Kingdom, until the King, after his acceptance of the Crown, give the necessair Orders thereanent.

Ordered, That the Earl of Marr have the Command of the ordinary Garison of the Castle of Striveling,<sup>1</sup> with all Fees, Casualties, and Emoluments thereto belonging in the same manner as he had before his Government of that Castle was taken from him by the late King James.

An Offer made to the Estates by Esquire Upton, a British Protestant in Ireland, That he shall levy a Regiment for the Service of the Estates, upon the Terms of the other Foot-Regiments already ordered was accepted, and Commissions ordered to be drawn accordingly.

Ordered, That Major Hugh Buntine serve as General Muster-Master to the Forces to be raised by the Estates.

On a Petition given in by John Campbell of Airds,

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<sup>1</sup> Stirling.

Ordered, That the Laird of Appen<sup>1</sup> deliver back to the Petitioner his Castle of Island Stalker<sup>2</sup>; and in case of his refusal, a Warrant given to the Earl of Argyle, and in his absence to Sir Duncan Campbell of Achhabreck, to put the Order of the Estates in execution.

Ordered, That Major-General Mackay command Captain Price's Company to march and clear the Braes or Mountains of Striveling County of loose and ill-affected Men who may be found there in Arms, and thereafter ordain them to serve as a Garison in Drummond Castle till further Order.

Upon a Petition given in to the Estates by Alexander Hamilton, Merchant in Edinburgh, it was ordered, That notwithstanding of the Embargo, three Ships loaded with Cole belonging to the Petitioner, be allowed to sail unto France; he finding Surety, That they shall carry no Passengers to that Kingdom, without Passes from the Estates; nor suffer any Passengers who shall return with them to land, till these Passengers be presented before the Estates.

A Commission to the Laird of Grant to be Sheriff of Inverness-Shire, read and approven.

On a Petition by the Countess of Belcarras, Ordered, That she be allowed to speak with her Husband in presence of the Earl of Eglington this afternoon.

Adjourned to Ten a Clock to morrow.

April 25. The Instructions given to the Commissioners appointed to wait on Their Majesties with the Offer of the Crown, were read and approven.

The Report of the Committee for putting the Nation in a posture of Defence, That some Merchants should be allowed to import Arms from Holland, for the use of His Majesty's Subjects, free of Custom; And that the Commissioners going with the Offer of the Crown, have Instructions to beseech His Majesty to interpose with the Estates of Holland for exporting 10000 Arms for that effect, was read and approven.

Ordered, That an Act be prepared by the Committee for exacting the Sess due at Whitsunday next.

<sup>1</sup> Robert Stewart.

<sup>2</sup> Eilanstalker.

Ordered, That the Militia-men that were taken by the Town of Edinburgh, do not engage in the other Levies to be made for the publick Service: And that if any of the Officers shall happen to list them, that they allow them to be taken back to the Service of the good Town, they being refunded of their expence.

An Act impowring the president to draw Precepts for Payment of the Forces, as they are or shall be Levied, according to the former Acts, and for defraying the Charges for maintaining the publick Peace, as it may be requisite, read and approven.

Ordered, That the Soliciter intimate to the General Mustermaster, That he, or such Persons as he shall appoint, attend to the Mustering of the Lord Angus's Regiment on Tuesday next at Duglays<sup>1</sup> Castle, and such other Forces as are already Levied for the publick Service, with all diligence. And that Major General Mackay appoint them such Quarters as he shall think fit.

The Act appointing Major Buntine, General Mustermaster of the Troops, raised by the Estates, and that he have Pay as the former Mustermaster had, from the date of the Act, read and approven.

The Act for restoring the Earl of Marr to his Heritable Government of the Castle of Striveling, was read and approven.

Leave given to the Earl of Marr, and Laird of Grant, to go to the Country, for Levying their respective Regiments.

Ordered, That the Lord Bargany have 200 Musquets, and 160 Pikes, given him out of the Magazine at Aire.

Ordered, That the Committee prepare an Act for a Publick Thanksgiving, to be brought in to the Meeting.

A Report from the Committee, of an offer made by John Shaw, younger, of Greenock, That he shall raise such a number of Men as he can, providing he get the publick Pay for two Serjeants, and two Drummers; and in case these Men march for the Publick Service without his own Bounds, that both Officers and Soldiers have pay conform to the Publick Establishment, and till they return within

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<sup>1</sup> Douglas.



the said Bounds, With another offer made by the Laird of Grant, to buy 600 Arms for his own Regiment, to be repaid to him by the Publick, when it may be thought convenient, read and approvén.

On a Petition, for the Lord Glendoigs<sup>1</sup> Children, for restoring to them their Father's Charter chist, Ordered that the said Charter chist be sequestrate in the Council-chamber, and that the Petition be answered with Certification again<sup>2</sup> to morrow.

The Report of the Committee for restoring Sir Andrew Agnew of Lochnaw to his Heritable Sheriffship of Wigtown, was read and approvén.

On a Petition by David Lindsay, the Petitioner was allowed the Liberty of a free Prison.

On a Petition, by the Countess of Belcarras, for the Earl her husband's Liberation; Ordered, That an Instruction be given to the Commissioners, who are to wait on his Majesty about the case of the said Earl. And that Mr. Francis Montgomery, the Lord of Drumeller,<sup>3</sup> Sir Patrick Murray General Receiver, and the Countess, be allowed to speak with the Earl, when they desire it, being always betwixt Eight a Clock in the morning, and Eight a Clock at Night; and that the Earl be allowed to send a Representation of his Case to His Majesty in Writing, and have Pen, Ink and Paper, allowed him for that effect.

On a Petition by Lieutenant Collonel Balfour, Ordered that the Petitioner be set at Liberty, and finding Caution, under the pain of 1000 l. Sterling; and giving his Parol of Honour for his peaceable Behaviour under the present Government, and appearing before the Estates, when called.

A Petition by John Campbell Merchant, Ordered to be seen, and answered by any Party having Interest, against to morrow.

The Duke of Gourdon beat a Parly, and sent a Message to Major General Mackay; but what past between them is not as yet known. This is certain, that Major General Mackay hath 16000 Men well Disciplined under his Com-

<sup>1</sup> Thomas Murray of Glendoick.

<sup>2</sup> against.

<sup>3</sup> William Hay.

mand and he is causing the Northlogh at the foot of the Castle to be drain'd, of design to find out the bottom of the Well of Water that furnishes the Castle, and some think with a further design to under mine the Castle on that side.

The Lord Maitland is seized on by Order of the Convention ; few days will discover the cause, most judging, that it flows from Breday's Letters and Discovery.

April 26. Ordered, That all the Scots Nobility, and Persons of Quality, that are at present at London, or about the Court, especially the Members of the Meeting of the Estates, be advertised to attend His Majesty, when the Commissioners for this Kingdom wait on Him with the offer of the Crown.

Then a Proclamation for a Solemn Thanksgiving for the Delivery of this Nation from Popery and Arbitrary Government upon the Ninth day of May next in the Counties on the South-side of the River of Tay, and upon the Sixteenth of May in the Counties on the North-side of the said River, to be intimate at all the Market Crosses of all the Burghs, and from the Pulpits in the respective Paroches, the Sabbath immediately preceding the said days, was read and approvén.

The Report from the Committee for Securing the Peace, That the Ministers of Edinburgh, who refused before the Committee, to Pray for the King and Queen by their Names, should be deprived, conform to the late Proclamation read ; and the Votes asked, Approve of the Report, or delay to execute the Proclamation ? The Report was approvén.

April 27. It being questioned, If the Sentence against the Ministers, who gave not Obedience to the Proclamation commanding publick Prayers for the King and Queen, did exclude them from serving their Cures, as well as deprive them of their Benefices : Ordered that these Words be added to the said Sentence, [And declair their Churches Vacant]

A Letter was then read, directed to the Earl of Argyle by the Lairds of Loup,<sup>1</sup> of Campbell of Kilberry ; with an

<sup>1</sup> Alexander McAlister.

Account of a French Vessel, and some Passengers seized in Kintire; and thereupon ordered, That the Prisoners be civilly used, and brought under Guard to Glasgow, and that a Party of the standing Forces, be sent to convoy them from Glasgow to Edinburg, and the Ship be brought about Kintire, unto the River of Clyde; and that the Thanks of the Estates be returned to the Seizers for their diligence.

Adjourned then till Monday at Ten a Clock.

Number 17.

From Saturday May 4. to Tuesday May 7

Edinburgh, April 27. 1689.

The Act against Forfaultures of Vassals and Creditors, both personal and real, who shall be Innocent of their Superiors or Debtors Crimes reported from the Committee, and approven.

The report of the Committee, That the Apprentices in the Manufactories shall not be allowed to List themselves in the Forces, read and Approven.

The report of the Committee for Examining the Prisoners for the Liberation of John Smith, late Servant to the Laird of Craigie Wallace,<sup>1</sup> was read and Approven.

The Offers made by Sir Hugh Campbell of Caldell<sup>2</sup> and William Cragie of Gairsay, of Levying some Companies of Foot, being read, were Remitted to the Committee.

Ordered, That an Act may be brought in for relief of the Counties by the Leaders of the Horse Militia, who have exacted their proportions, with a Warrant for summar execution against them for that effect.

The report of the Committee, That the Officers of the new Levies, shall at their first Musters take the Oath of Fidelity to the King and Queen, read and approven.

Ordered, That the Heretors of the County of Perth and

<sup>1</sup> Sir William Wallace of Craigie.

<sup>2</sup> Cawdor.

Stewartry of Strathern, furnish Captain Brice necessairs for the Garison of Drummond Castle under his Command; and that the Artillery in the said Castle be not carried forth thereof.

Then the Estates proceeded to consider of a Committee of their Number to attend, and take care of the Government, during the adjournment of the Meeting; and the Vote being asked, if the old Committee for settling the Government should be continued or a new one chosen? It was carried, That the old Committee should be continued, and the persons following added in place of such as were allowed to be absent, viz. the Marquis of Duglass, the Earls of Forfar and Mortowne, the Lords Ross and Carmichell, the Lairds of Riccartown, Lamingtown, Calder and Rawbrigg, and the Laird of Lewchat.<sup>1</sup>

April 29. The President having intimate to the meeting, That Major General Mackay had given a Commission to A. Dunbar to command the Isle of Bass, ordered that a Warrant be sent by the Estates, requiring the present Commanders of the Garison in the said Isle, to deliver up the Command thereof accordingly, on pain of Treason.

The Commission to the Duke of Hamilton, or such persons as his Grace shall appoint to Command the Garison of the Castle of Arran, read and approven.

A Warrant for intimating at the respective Paroch Churches on the Thanksgiving days, That all persons contribute for relief of the Irish and French Protestants in this Kingdom; and appointing Sir Patrick Murray Receiver of the said Contribution, and remitting it to the Committee to see the same applied effectually.

Remitted to the Committee to consider of effectual means for preventing the breaking up of the publick Pacquet; and that the Post-master, who finds the Pacquets first broken, shall have power to secure the Post Boy until he give accompt how it came to be broken, and by whom.

Ordered, That the Lord Bargany have Eighty Muskets, and Twenty Pikes, for the use of his Regiment; and that Captain Blaire, in the Earl of Glencairnes Regiment,

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<sup>1</sup> Alexander Spital.

have Forty Muskets and Twenty Pikes for the use of his Company, delivered to them by the Keepers of the publick Arms at Aire, upon their receipt to make the same forth coming for the use of the publick.

Ordered, That the President write to the Commanders of the two Frigats in the Estates Service, to Cruise about the Isles on the Coast of Argyleshire; and to destroy the Boats in the Isle of Racklay,<sup>1</sup> or other places, that might serve the Enemy in case of an Invasion from Ireland.

Ordered, That Lieutenant Collonel Cleland March with the Lord Angus's Regiment unto Argyle County, and that Four hundred of them be Quartered in Kintyre, and the rest in Lorn and other convenient parts of the County; with Warrants to Press Boats for their transport, as it may be necessair.

Ordered, That a Commission be given to the Laird of Caldell,<sup>2</sup> to raise Six hundred Foot in the Isles of Ila, Juray, and Collinsay, in the terms of the offer made to by the Estates the Laird of Greenock;<sup>3</sup> and their Act already past thereanent.

A proposal from the Nobility and Gentry in the Counties of Kincarden, Aberdeen, and Bamff, for securing the Peace of those Counties, remitted to the Committee.

The Commission given by the Estates to the Committee appointed for securing the Peace, and taking care of the Government, during the Adjournment of the Meeting, until the King should give further Order thereanent, bearing threttein three Lords, three Barrons, and three Commissioners for Burghs, always Nine of that number to be a Quorum, was then read and approven.

On a Petition by the Town of Air, ordered, That the Petitioners have Execution by poinding and wairding against the deficients in payment of the Towns Revenue, until they pay as much thereof, as will satisfy the bygon rests of the Cess due by the said Town.

Ordered, That the Proclamations about the praying for the King and Queen, be sent by the Solicitor to the res-

<sup>1</sup> Rathlin.

<sup>2</sup> Campbell of Cawdor.

<sup>3</sup> Sir John Shaw.

pective Sheriff Clerks, and by them to the respective Ministers within their Counties.

Ordered, that the Invaders and Robbers of the Regular Clergy, be cited before the Committee for the said Crimes.

On a Petition by the Lord Lochore for his Liberation, the Vote was asked. If he should have the liberty of the Town of Edinburgh upon Surety to secure the Peace, and not to prejudice the Government by Intelligence, or other ways, and compear when called? or if he should be remitted to the Committee? And it was carried, That he should have the said Liberty upon the foresaid Surety.

On a Petition by David Linsay, ordered. That the Petitioner be set at Liberty, but confined to the Town of Edinburgh, on surety to live peaceably, and compear when called.

The Petition of Lieutenant Collonel Rattery, remitted to the Committee.

Ordered, That the Committee meet at five a Clock this Afternoon.

Adjourned then till Tuesday the 21 day of May next, at Ten a Clock.

In the Committee of the Estates for securing the  
peace of the Kingdom, April 30th 1689.

After calling the Rolls, the Lord Ross was chosen President, the Duke of Hamilton being absent.

The Commission given to the Committee by the Convention, was read.

The President produced a Letter from Sir George Gorden of Edinglassie to the Duke of Hamilton, which was read; And thereupon ordered, That the Thanks of the Committee be returned in a Letter from the Duke of Hamilton, to Sir George Gorden of Edinglassie, and that he be joynd in the Commission with the Earl of Finlator for Commanding the Heretors and Fencible Men in the County of Bamff; and that the Mayor<sup>1</sup> of Forbes have a Commission to Command Arroll's part of Aberdeen. And another Com-

<sup>1</sup> Master.

mission given to the Earl of Marreshall for Commanding his own Division of Aberdeen, and the County of Kincarden; and that the Earl of Kintore be joined with the Earl of Marreshall in the said Commission.

Dalmahoy Younger<sup>1</sup> and Elder,<sup>2</sup> called before the Committee, subscrib'd an Act on paroll of Honour to live peaceably, and compear when called.

Adjourned till Three a Clock in the Afternoon.

*Post Merid.*

Ordered, That Commissions be given by the Committee, for raising the Fensible Men, to the Laird of Grant in the Shire of Inverness, and to the Laird of Grange<sup>3</sup> in the County of Murray.

The List of the Commissioners for the Cess in the Shire of Merse, being read, ordered that the subscribed lists given in by the several Commissioners from the Shires, be inserted in the Act without Alteration, unless the Committee appoint the List to be altered. And the List given in by the Lairds of Lantown<sup>4</sup> and Polwort for that Shire, approven.

The Commission to the Earl of Finlator, and Laird of Edenglassie<sup>5</sup> to Command the Heretors and Fensible Men in the Shire of Bamff, read and approven.

A Commission given to the Laird of Cairletown,<sup>6</sup> Hugh Kennedy, and James Ross, or any one of them, to take care of the Coast of Carrick, and to secure suspected Persons, conform to the Act of the Estates.

Adjourned to Ten a Clock to Morrow.

Major General Mackay is gone North, with a strong Detachment, to reduce the Viscount of Dundee, and his Adherents, who have fled to the Duke of Gourdon's County; he hopes to find assistance there, as a sinking man lays hold on every Twig: However, the Laird of Grant and all that County, are in Arms to oppose and seize him and his Troop.

The late Governour of Londonderry, Collonel Lundee, being come over to the West-Country, was seized, and sent Prisoner to the Castle of Dunbarton near Glasgow, until

<sup>1</sup> Alexander Dalmahoy.

<sup>3</sup> Thomas Dunbar.

<sup>5</sup> Sir George Gordon.

<sup>2</sup> Sir John Dalmahoy.

<sup>4</sup> Archibald Cockburn of Langton.

<sup>6</sup> Hugh Cathcart.

the Convention be satisfied how he parted from Londonderry, and what is his design here.

The Castle fires fiercely against the Besiegers, which are not ungrateful to pay him in his own Coyn, with Usury. At first some foolish easie Countrey People, kept their ordinary Road to the Markets by the Castle-wall, and so a few of them were reach'd and destroy'd by the Garison, but now they are taught, that the furthestmost way about, is safest : so that the Markets are kept in the other remotest end of the Town.

Number 18.

From Tuesday May 7. to Saturday May 11.

Edinburgh, May 1. 1689.

A Warrant for a Pass to go to England, given to the persons following being Protestants, Mr. Jo. Macdugall, Minister, Humphrey Howis, Katharine Howis his Wife, Humphrey Wooley, Jane Wooley his Wife, all of Elphin in Connaugh, in the Kingdom of Ireland.

Ordered, That the Act for the Whitsundays Cess be directed by the Sheriff Clerk, to the Ministers in the Paroch Churches and Meeting Houses within the respective Shires, to be read in the Churches and Meeting-houses doors, after the time of Divine Service : And that the Clerks have warrant to add a clause to the Act for that effect.

A Warrant ordered to be directed to the Laird of Cairletown, to raise a party of the Fencible Men in Carrick, and therewith to secure the Castle of Ardmillan for the service of the Estates ; and in case the Possessors refuse to deliver up the said Castle, That a Warrant be directed to Heralds and Trumpeters, to summon them to give it up within 24 hours, on pain of Treason, And to denounce and intercommune them accordingly.

Collonel Balfour having declared in presence of the Committee, the grounds of Tushielaws <sup>1</sup> Imprisonment, and

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<sup>1</sup> Walter Scott.



Tushielaw being called and examined, he was set at liberty on his enacting and obliging himself on his Faith as a Christian, and his paroll of Honour as a Gentleman, to live peaceably, and compear when called.

Ordered, That Collonel Balfour, in absence of the General Major Mackay, Command the Officers of the new Levies in Carrick, and the next adjacent Quarters, to assist the Laird of Cairletown for reducing Ardmillan Castle, as it may be requisite for the publick Service.

On a Petition by the Town of Culross, Ordered, That the Petitioner have summar Execution by wairding and quartering, for as much of their Town Revenue as will pay the Whitsundays Cess.

Adjourned then till Three a Clock this Afternoon.

*Post Merid.*

The Petition of Mr. Fletcher Engineer, for his liberation, read and continued; but thereafter remitted to Major General Mackay.

The Petition of the Countess of Argyle read, and delayed: and for a Pass to James Killoch to go with his Family unto England.

A Letter from Sir Duncan Campell of Achhabreck, to the President, was read, and thereupon ordered, That a precept be drawn upon the Collectors of Argyleshire, to pay him a Months pay; for the Earl of Argyle's Regiment of 600 Men, at the time of their Muster for the current Month next after the day of their being Mustered.

Ordered, That the Chiefs of the Highland Clanns be sent for, to secure the Peace, conform to the Act of Parliament; and that the Clerks bring in the Council-books, to the end they may be cited for that effect, according to the usual custom.

The Laird of Calder undertook to write to the Laird of Lochzeal<sup>1</sup> to compear before the Committee once this Month, he getting a safe Conduct from the Committee for that purpose: And a Warrant accordingly granted for giving the safe conduct for Lochzeal's coming to Edinburgh, and returning home again.

<sup>1</sup> Sir Ewan Cameron of Lochiel.

Ordered, That Warrants be given to the Heritors and Countrey Gentlemen in the respective Paroches, to protect the Conform Clergy, and to seize upon and secure such persons as injure them; and to cause their Goods be restored to them wherever the same can be found.

A Warrant to cite the persons, who rifled and robbed the House of Halyeards, before the Committee against Tuesday next.

The Petition of Lieutenat Collonel Ratteray again read, and the Magistrates of Drumfreis allowed to give him a Guard, and permit him to take the free Air within their Town in the day time, they being answerable that he escape not.

Ordered, That Francis Duglass, Priest, have a pass to go beyond Sea, he enacting himself not to go to England or Ireland, and never to return to this Kingdom.

The Warrant anent the manner of Collecting the Contribution for Relief of the poor Irish and French Protestants read and delay'd till to morrow.

Adjourned then till Ten a Clock to Morrow.

May 2. Ordered, That the Warrant for the Months Pay for the Earl of Argyle's Regiment be given by way of Act. and subscribed by the President of the Committee, ordaining James Oswald, General Receiver, to draw Precepts for it upon the particular Collectors of the Shire of Argyle.

The Herauld having returned with his Execution against the present Governour of the Bass,<sup>1</sup> he was ordered to attend with the Witnesses to make faith on his Execution, in the afternoon.

Mr. James Wagh, Minister at South Lieth, being examined, acknowledged, That he had not, nor as yet had freedom to obey the late Proclamation commanding Prayers for King William and Queen Mary; and therefore being again called, received the Sentence of the Committee for his said Disobedience, That he should be deprived of his Benefice, and his Church declared vacant; and that the Sentence be intimate by a Messenger at the Church door the next Sabbath.

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<sup>1</sup> Charles Maitland.

Ordered, That the Countess of Argyle be allowed to speak to the Earl of Belcarras this afternoon in presence of the Laird of Ormistown.

Ordered, That it be intimate to the under-Officers and Soldiers in the Garison of Bass That they shall have three Months Pay from the Estates, in case they put the place in the hands of the Estates, or any Officer in their Service.

Ordered, That the Provost of Edinburgh cause all the Lodgers within the Town to give up the Names of those who lodge with them, to the Committee.

A Warrant issued to charge Ardmillan elder<sup>1</sup> to compear before the Committee the 9th instant.

A Warrant to Messengers to cite the Earl of Hume to compear before the Committee on Tuesday next.

Adjourned to three a Clock this afternoon.

*Post merid.*

A Letter from Patrick Ramsay in Aire, to David Crawford, Servitor to the Duke of Hamilton, bearing, That Ardmillan elder was seized by the Rabble at Aire; And thereupon Ordered, That the Warrant directed to Cairletown for taking possession of the said House, be sent; but that the other for citing him before the Committee be stopped; and in the mean time, that Ardmillan be kept Prisoner at Aire, till farther order; and that Cairletown put twenty Men in Garison in the said Castle.

The Herald who summon'd the Commanders of the Bass verified his Executions upon Oath, as did his two Witnesses to the Execution.

Mr. John Somervaille, Minister at Craremond,<sup>2</sup> being called, and examined anent his Obedience to the Proclamation for praying for King William and Queen Mary; and having refused to promise his punctual Obedience thereto the next Sabbath, was ordered to remove, and advise what to resolve anent it.

The Proclamation anent the Relief of the Irish and French Protestants, was read, and continued till the next sederunt.

<sup>1</sup> James Crawford.

<sup>2</sup> Cramond.

Mr. Somervaille being again called, persisted in his refusing to promise a punctual Obedience to the Proclamation the next Sabbath. He being again removed, and the Vote asked, Deprive or Delay to pronounce Sentence against him conform to the Certification in the Proclamation? it was carried, That he should be deprived, and the Sentence ordered to be intimate at the Church-door next Sabbath.

A Warrant to cite Mr. Alexander Ireland, Minister at Passovey,<sup>1</sup> and Mr. Alexander Irvine, Minister at Inverketling,<sup>2</sup> to compare before the Committee within 48 hours next after their respective Citations.

Adjourned till ten a Clock to morrow.

May 3, The Proclamation for Relief of the Irish and French Protestants, was again read, and approvén.

Ordered, That the Deficients in the Horse-Levies within the Shires of Mid-Lothian be quarter'd upon, until they send out their Horses well mounted, conform to the Act of the Estates; And that this Order be observed against Deficients in all the Shires of the Kingdom; and an Order drawn for that effect, was read and approvén accordingly.

The President reported to the Committee from the Marquis of Athol. That he had order'd 300 Men to be ready, with three days Provision, to march for Defence of the Kingdom, whenever they should be called, upon 24 hours warning.

Mr. Arthur Millar, Minister at Inverask, being called and examined, did acknowledge he had not as yet Prayed for King William and Queen Mary; and being thereafter removed, and after some time called again, and farther examined, was ordered to attend in the Afternoon.

Adjourned to Three a Clock in the Afternoon.

*Post Merid.*

Mr. Millar being called, promised to Pray for King William and Queen Mary next Sabbath; but refusing to promise to read the Proclamation from the Pulpit, and being then removed, The Vote was asked, If he should be deprived, or if his Case should be delayed? And it was

<sup>1</sup> Fossoway.

<sup>2</sup> Inverkeithing

carried, That he should be deprived. And the Sentence ordered to be intimate at his Church door next Sabbath.

The Lord Lovat declared to the Committee, That he had given order to his Friends and Vassals, to secure their Countrey from the incursions of their Neighbours in the Highlands; and to be ready in 24 hours, with his Men, to March for the publick Service when called.

Adjourned then to Ten a Clock to morrow.

May 4. There not being a Quorum of the Committee met, conform to their Commission from the Estates, The President Adjourned their Meeting till Ten a Clock on Monday.

The Viscount of Dundee hath really dispersed his Party, finding that the Countrey would not join with him, but resolved to seize him and his Troop; he hath writ to Major General Mackay to capitulate; and in the mean time he absconds with one or two Servants.

The Letters from Ireland bear, That the Garison in Londonderry had sallied out with a strong Party, and had so suddenly surprised the Besiegers, that they killed a great number of them; amongst which were some considerable French Officers of great esteem amongst the Irish. The Castle of Edinburgh plays furiously against the Batteries, which do the like upon the Castle.

#### Number 19.

From Saturday May 11. to Tuesday May 14.

Edinburgh, May 6. 1689.

Ordered, That George Clark younger, Gavin Plumber, and Robert Watson, Merchants in Edinburgh, have a Pass to go for London.

Ordered, That the Minister of Inverkeitlling be proceeded against, conform to the Proclamation of the Estates, if he fail to compear before the Committee, notwithstanding of any excuse contained in his Letter to the

President for his not compearing; and that any of the Members who please may intimate this to the said Minister.

Ordered That the Keepers of the publick Arms at Glasgow give 180 Pikes to the Lord Bargany, of those Pikes which were to be sent to the Town of Aire by Order of the Estates.

Ordered, That John Ross, Soldier in Collonel Ramsay's Regiment, have a Pass to go for Holland.

Ordered, That the Keepers of the publick Arms at Dumbarton deliver to the Laird of Ardncaple<sup>1</sup> fifty Musquets for the use of his Company, taking his Receipt to make them forth-coming for the use of the Publick.

Ordered, That Hamilton of Bunny,<sup>2</sup> Surveyor, write to the Collectors of Custom in the Western-Ports, That they observe the Act of the Estates anent the Goods of Irish Protestants being free of Custom.

A Letter written from the Committee to the Muster-master, to come to Edinburgh to receive their Orders, read, and ordered to be sent.

An Act appointing the Commissioners named for the Whitsundays Cess in the respective Shires by the late Proclamation, to be Commissioners for adjusting the proportions of the Horse-Levies in the Shires be North the River of Tay, was read, approven, and ordered to be printed.

Ordered, That a Pass be given to Samuel Timney to go for London.

Ordered, That the Letter to the Lord Down<sup>3</sup> from the Committee, be delay'd till farther Order.

Ordered, That no Letter be written from the Committee to the Laird of Rothmay,<sup>4</sup> he being no longer Tutor to the Earl of Abboyne.

Ordered, That a Pass and Post-warrant be given to Collonel Lundy to go for London, upon his giving paroll of Honour to go strait to wait on His Majesty at Whitehall.

Ordered, That the Arms and Baggage belonging to the Regiments of Major General Mackay and Collonel Ramsay,

<sup>1</sup> Archibald McAulay.

<sup>3</sup> Charles, Lord Doune.

<sup>2</sup> George Hamilton of Binnie.

<sup>4</sup> John Gordon of Rothiemay.

come by sea from Exeter, be suffered to be unloaded Custom-free.

The Report from the Governour of Berwick, of the Depositions of the Post master of Berwick and his Boy, anent the breaking up of the publick Pacquet, being read, the matter was delayed till the afternoon.

A Warrant to cite the Minister of Dron<sup>1</sup> and Mr. Kay, Minister of South Leith, to compear before the Committee; Mr. Kay on 24 hours and Minister of Dron on 48 hours after their received Citations.

Ordered, That the Keepers of the publick Arms at Sterling deliver to the Lord Bargany 340 Suits of Bandaleers in place of those which were ordered to be given him out of the publick Arms at Aire, by Warrant of the Estates.

Adjourned to Three a Clock this day.

A Warrant for a Pass for Joseph Wats, Cashier, to go for London.

Ordered, That all the Extracts of the Warrants given by the Committee for Precepts to be drawn by the Receivers, be recorded in the Entry books; and an Act to be drawn for that effect.

John Bayre, Sheriff Clerk of Berwick, being examined, declared, He had sent the Doubles of Proclamations of the King and Queen to all the Burgs and Paroch Churches within the Shire, by the Sheriff-Officers, as he used to do: but had no execution of their being delivered. And being reproved and called again, was reprimanded, and enjoyned a more careful Obedience hereafter.

On a Petition by Captain Edward Burd, Ordered, That Nicholas Dromer, Prisoner, be set at liberty, but delivered to the Petitioner, until the Petitioner's Ship with her Cargo and Passengers, be allowed to sail home from Dunkirk.

Mr. Alexander Ireland, Minister at Forsoway, being called, declared, He saw not the late Proclamation till he came to Edinburgh last, and was willing to give it Obedience next Sabbath; and was thereupon dismissed.

Mr. George Barclay, Minister at Mordingtown, being

<sup>1</sup> John Taylor.

called, and having declared he had not read the Proclamation enjoyning Prayers for the King and Queen, nor prayed in the terms thereof, he was removed; And the Vote being asked, Deprive, or not? It was carried he should be deprived.

The Report of the Postmaster of Berwick, and his Boys Depositions, being again read, Ordered, That the Postmaster of Crekburnspeth,<sup>1</sup> and his Wife, and William Ker their Servant, and the Postboy, who carried the Packet from Haddingtown to Edinburgh upon the 27th of the last Month, be cited to appear before the Committee, within 48 hours after the Citations.

On a Petition by the Lord Balhaven, Ordered, That the Commissioners of the Horse Levies in Strivelingshire and Clackmannon, deliver to the Petitioner the 13 Horse for his Troop, due out of these Shires, upon his receipt for their Exoneration.

Ordered, That the Minister in Carricktown,<sup>2</sup> be cited to appear before the Committee, in forty eight Hours, next after the Citation.

Adjourned then till Ten a Clock to Morrow.

May 7. A Letter was read, directed from John Campbell in Campbelltown, to the Bailly of Kintire, bearing, that young Macdonal was landed from Ireland, in the Isle of Cara, with 80 Men. And that fired Beacons made Light the Second and Third Instant over Night, both on the Mull of Cara, and Mull of Kintire, and that some Boats, and a Ship was seen Sailing to that Island from the Irish Coast. And thereupon the Committee Recommended to Collonel Balfour, Brigadier General, and Commandant in the Absence of Major General Mackay, to send four Companies of the Lord Bargany's Regiment, two of Glencarnes, and two of Blantyre, with an Officer unto Argyle, for defence of that Coast.

Ordered, That James Oswald, General Receiver, draw Precepts on the Collector of the Shires of Murray, Nairne and Inverness, to pay to the Laird of Grant, for maintenance of his Regiment, the Sum of 35 l. Sterling for

<sup>1</sup> Cockburnspath.

<sup>2</sup> David Lammie, Minister of Carrington.



ilk Company, after their being Mustered, to be compted for in the first of their pay.

A Warrant to cite the two Ministers of Culross<sup>1</sup> Gargunock,<sup>2</sup> Carnock<sup>3</sup> and Stitchell<sup>4</sup> to compear before the Committee, within forty eight Hours after the Citations. As also to cite the Ministers at Prestum-paims,<sup>5</sup> Newbottle,<sup>6</sup> Keppen,<sup>7</sup> and Blackford.<sup>8</sup>

Ordered, That three Curriers be sent weekly to Major General Mackay, for bringing Account to the Committee, of what he does in the North. And that the President write to the General, that he send Account accordingly.

On a Petition by Mr. George Purves, Minister at Glen-corse, Ordered, That the Persons who rifled his House, took his Bible, &c. from him, restore the same; and that the Heretors secure the Petitioner from such unjust Violence hereafter.

Ordered, That the Keepers of the Arms and Ammunition at Aire, deliver such a Quantity of Ammunition to the Lord Barganies Regiment; and the Keepers at Glasgow, deliver such Quantities of Arms and Ammunition to the Earl of Glencairn and Lord Blaney's Regiment, as Collonel Balfour shall order.

Ordered That a Letter be writ from the Committee, to Sir Duncan Campbell of Achnabreck That he communicate Advices with the Officer to be sent to Collonel Balfour, with the Detachment unto Argyleshire, in the Command of the said Detachment; and joyn such Companies of his Regiment to the said Detachment, as the said Officer shall require. And raise the Fensible men in that Shire, as it may be needful.

Ordered, That the Receiver draw Precepts on Mr. John Cockrane, the Collector of the Excise in the Western Shires, for payment of 1000 l. to the Officers of the two Companies of the Earl of Glencairnes Regiment; and another 1000 l. to the Officers of the two Companies of Blantynes, who are to March unto Argyleshire on their Receipt to

<sup>1</sup> Robert Wright and Alexander Young.

<sup>2</sup> Thomas Mitchell.

<sup>3</sup> Robert Ramsay.

<sup>7</sup> Robert Young.

<sup>2</sup> John Edmonstone.

<sup>4</sup> Andrew Darling.

<sup>6</sup> Andrew Auchinleck.

<sup>8</sup> David Moray.

hold Compt for the same in the pay of the respective Companies.

Ordered, That Hugh Brown take care of the Transport of the Detachment ordered to march unto Argyle, and have Warrant to press Boats for that effect.

An Act appointing the Sheriffs in the respective Shires, to dispatch such publick Orders as shall be direct to them by the Sollicitor, the expence whereof is to be allowed in the Exchequer yearly.

Adjourned to Three a Clock in the Afternoon.

*Post Merid.*

A Representation read, That a Ship at Leith, had some Meal on Board for Sale, belonging to the Viscount of Dundee; and thereupon, ordered, That inquiry be made, and if found to belong to the Viscount, that it be seized for the use of the Publick, and a Warrant directed to the Bailiff of Leith, for that effect.

A Warrant directed to the Heretors of Forsaway, to repossess Mr. Alexander Ireland, Minister in that Paroch, of his Church and the Exercise of his Ministry.

Mr. George Kay, Minister at South-Leith, being called, declared his willingness to read the Proclamation, and that he had prayed for the King and Queen; and being removed, was called again, and upon his Promise of punctual Obedience for the future, was dismissed.

A Warrant ordered to cite the Ministers of Badernock<sup>1</sup> and Libbertown.<sup>2</sup>

A Petition by the Parocheners of Crawmond, being read, Ordered, That the Petitioners be allowed to call such Preaching Ministers, to Preach at the said Church, as they shall find most convenient; but that it should be without Prejudice to the Patrons right of Presentation.

Ordered, That Laurence Wallace be removed from the Office of Surveyor in Irvine, and Robert Murchle be put in his place. And that Thomas Macjaro<sup>3</sup> be made Surveyor in Aire, and that Commissions be drawn, and sent them for that effect.

<sup>1</sup> Walter Stirling, Minister of Baldernock.

<sup>2</sup> Alexander Cuming.

<sup>3</sup> McJarrow of Barr.

Ordered, That Collonel A. Dunbar be posted with 20 men in Castletown, over against the Bass, and hinder all Correspondence from the Country with the Garison, in that Isle.

A Commission ordered to be drawn to the Laird of Greenock, younger, to Command the Fencible men in Renfrew.

Adjourned to Ten a Clock to morrow.

The Viscount of Dundee having dispersed his Troop, he Absconds and Flies with two or three in his Company into the utmost parts of the North; Major General Mackay follows hard after him, and it's hoped in few days he will seize him, and bring him back.

#### Number 20.

From Tuesday May 14. to Saturday May 18.

Edinburgh, May 8. 1689.

The Committee being called at Nine of the Clock, a Letter was read from Sir John Lanier to the President, bearing, That he was come to Berwick, with some Regiments of Horse and Dragoons; and desired to know what necessity was at present for his coming farther unto Scotland? And thereupon ordered, That a double of the Letter be sent by an express to Major General Mackay, and that a return be written to Sir John Lanier, to retire unto Northumberland for more convenient Quartering of his Horses.

On an information of some Cash belonging to persons in opposition to the Government, in the custody of certain persons, Ordered, That the President give Warrant to secure the Money for the use of the publick.

Upon a Representation by the Laird of Balnagown,<sup>1</sup> Ordered, That he have a Commission to Command his own Kinsmen and followers in Burgh as weel as Landneart<sup>2</sup>

<sup>1</sup> David Ross.

<sup>2</sup> Landward.

within the Shire of Ross; and to seize and secure all traffacting Priests and Jesuits, and disarm Papists, reserving to Gentlemen their walking Swords.

Ordered, That another Commission in the same terms, be given to the Laird of Fouls younger.<sup>1</sup>

Ordered, That a pass be given to the Lady Naper, her two Children, a Gentleman, a Page and a Maid to go for London.

The President having moved, that some of the Members should be named to take information from a Gentlemen newly come from Ireland anent the condition of that Kingdom; Ordered, That the Earl of Louthian, and Sir Patrick Hume take the Information, and Report.

Ordered, That Captain Young, Commander of the Detachment sent unto Argyle have Warrant to seize, disarm and secure any suspect persons disaffected to the Government, within that Shire, upon Information to be given him against them, until they find caution to secure the Peace.

Mr. Alexander Irving, Minister at Inverskillin,<sup>2</sup> being called, acknowledged he had not read the Proclamation, nor named the King and Queen in his Prayers, but that he prayed for the King and Queen, and those in Authority, and thought it his duty so to do. And being removed and called again, was deprived of his Benefice, and his Church declared vacant.

Ordered, That the Laird of Ormistown and Mr. William Hamilton examine an Irish Priest, seized as he was going to the Castle; and that none be allowed to speak with him, till he be examined.

On a Petition by the Minister of Kirklistown,<sup>3</sup> Ordered, That the Petitioner be protected and secured in the Exercise of his Ministry; he behaving himself obediently under the present Government.

Adjourned to three a Clock this afternoon.

*Post Merid.*

Ordered, That the Laird of Ormistown and Provost Fletcher examine Mrs. Ogilvy, Prisoner, and report.

<sup>1</sup> Robert Munro.

<sup>2</sup> Inverkeithing.

<sup>3</sup> John Mackenzie.

The Herauld and Witness to the Execution of the Charge given to the Governour of the Bass, to give up his Command on pain of Treason, verified the Executions upon Oath.

Ordered, That the Lord Carmichell muster the Company levied by Captain Bailey of Hardingtoun, to the end they may enter into the publick Pay.

Ordered, That the Ministers of Killern,<sup>1</sup> Aldanstocks<sup>2</sup> and Lecrope,<sup>3</sup> be cited before the Committee.

Upon a Petition by Mr. Thomas Ramsay, Ordered, That the Petitioner be restored to the exercise of his Ministry at the Church of Mordingtoun; reserving the Right of the Benefice, and other Emoluments due to the Minister within the said Paroch, to those who shall be found to have best Right thereto, by the Judges ordinair.

Ordered, That Mr. Finlay, Prisoner, be made close Prisoner in the Tolbooth of Edinburgh.

Recommended to the Provost of Edinburgh to provide a convenient place at Leeth, to lay up the Arms and Ammunition lately brought from London, for the use of the Regiments under Major General Mackay's Command.

Bailiff Ard. Muire of Leeth being called, declared, He had secured the Meal specified in the Order of the Committee, in a Loft at Leeth; and had got a Note of what was sold, and got some of the Price, conform to a subscribed Note; And thereupon Ordered, That Bailiff Muire take care to secure it till farther Order, as he shall judge convenient.

Ordered, That the Collectors in the Shires of Dumbarton and Boote furnish Meal at reasonable Rates to the Foot Companies commanded to march into Argyleshire.

Mr. David Lamy, Minister of Carrigtoun, being called, acknowledged, He had neither read the Proclamation, nor prayed for King William nor Queen Mary: And being removed and called in again, was deprived of his Benefice, and his Church declared Vacant.

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<sup>1</sup> James Craig.

<sup>2</sup> John Gibson, Minister of Oldhamstocks.

<sup>3</sup> William Wemyss, Minister of Lecropt.

Ordered, That a Barrel of Powder be given to the Lord Angus's Regiment, out of the Stores at Glasgow.

The Commissions for Foullis and Belnagown, to command their kinsmen and Followers in the publick Service, read and approvén.

Ordered, That the President sign the Warrant for chusing commissioners from the Shire of Ross, in absence of the Duke of Hamilton ; and that the Warrant be made ready against Friday next.

On a Petition by the Laird of Halyeards<sup>1</sup> in Louthian, the persons complained on for rifling the Petitioner's House being cited and called, and not compearing, the Vote was asked, If they should be Denounced, or not ? and carried, That they should be Denounced.

Ordered, That the Election of Magistrates in Striveling be prorogate to the first of June next.

Adjourned to Ten a Clock on Friday next.

May 10. A Letter from the Duke of Hamilton to the President was read, bearing, That he had ordered to secure a Boat and Prisoners seized in the West by Lieutenant-Collonel Cleeland ; and recommending to the Committee to send Mr. Bennet, who came from Ireland, and escaped from Derry, to London to wait on His Majesty.

Another to the Duke, from Lieutenant-Collonel Cleeland, relating to the boat he had seized, bearing, That the Boat belonged to Slait,<sup>2</sup> and that one of the Prisoners was a Servant of Commissair Mackeans, and another Servant of the Sheriff of Boot's, whom he suspected of corresponding with the Irish.

A Declaration subscribed by James Macneel, Merchant in Greenock, was read, bearing, That he had heard Donald Macdonald, Son to Slait, in the Isle of Cara, the fifth Currant, say, That the late King had 60000 Men in Arms in Ireland ; and that the said Donald had Twelve Men, with a Conformist Minister, who came over with him from Ireland ; and that Commissair Maclean was expected over next day.

Upon Information to the Committee, That several

<sup>1</sup> John Skene.

<sup>2</sup> Sir Donald MacDonald.

Papists, and other Officers who left the King's Service, were drinking the late King James's Health publicly in Edinburgh, Ordered, That it be recommended to Collonel Balfour to secure the said persons, as he shall see cause.

Mr. Bennet the Irish man being called, gave Account of the condition of Derry.

The Sheriff of Boote being called, and having heard the Letter sent in by Lieutenant Collonel Cleeland read again, he acknowledged he had written some such Letters : And being then removed, and called again and examined, it was ordered, That the Sheriff be made close Prisoner in the Tolbooth of Edinburgh, till farther Order.

Ordered, That the Laird of Lamingtown and and the Laird of Lewcat convey the Sheriff of Boote to Prison, and then search and secure such Papers as they find with him.

Ordered, That a Pass be given to Mr. Henry Scrymzeor, Minister of Dundee, to go for London.

Ordered, That Mr. Bennet the Irish man sign his Information anent the affairs of Derry, and the occasion of his coming from Ireland ; and that he have a Pass to wait on His Majesty, and 10 l. Sterling for bearing the Expence of his journey ; and that the President draw Precept on the Receivers to give him the Money.

A Letter from Duncan Robertson, Clerk of Inverairay to the Committee, bearing That Sir Duncan Campbell was sick of a Feaver, and therefore that the Committee might take care to preserve Argyleshire from the Invasion.

Collonel Balfour having told the Committee that Duke Gourdon had beat a Parley at the Castle, and desired a sick Servant of his might be allowed to be removed out of the Castle ; Ordered, That the desire of the Duke be refused.

Ordered, That the Sheriff of Boote have one Servant close Prisoner with him.

Ordered, That the President write to Sir Duncan Campbell, That the Committee hath taken effectual care to secure that Shire from the Invasion, and in what manner.

May 11. Captain Hart being called before the Committee and examined, was dismissed ; as was also the Postmaster of Edinburgh.

Dr. Richard Waddall, Archdeacon of St. Andrews, being called, acknowledged he had not read the Proclamation; but that it was not sent him: And being asked, If he prayed for K. William and Q. Mary; acknowledged he had not. Mr. John Wood, one of the Ministers at St. Andrews, acknowledged conform to the Doctor. And both, being removed, were again called, and deprived of their Benefices; and their Churches declared vacant.

Sir Francis Hamilton, and John Campbell, both Irish Protestants, being called before the Committee, and having declared Mr. Bennet to be an honest Protestant, Ordered, That Mr. Bennet be allowed to pursue his Journey for London.

A Letter directed from the Committee to His Majesty, was brought in and twice read, voted, and approved; and a double signed by all the Members.

An offer made by the Laird of Macfarlane<sup>1</sup> of six Companies, at 50 men ilk Company, to be raised by him, to Guard the Passes in Dumbartonshire, having power to name their Officers, and Pay for one Lieutenant, two Serjeants and a Drummer, after their first Muster; and for the whole number of Officers and Soldiers in case of their serving without that Shire: And thereon ordered, That a Commission be brought in a Munday, in these terms.

Leave given to the Laird of Polwort to go into the Country.

Adjourned to Ten a Clock on Monday next.

#### Number 21.

From Saturday May 18. to Tuesday May 21.

Edinburgh, May 11. 1689.

The Execution of the Summons against the Earl of Hume being read, the Earl of Mortown represented, that

<sup>1</sup> John Macfarlane younger of Macfarlane.



he had written to him of his sickness, and that he had drawn Blood, and would wait on the Committee with all convenience; and the Letter being read, it was found, that the Earl declared therein what was represented in his name, on Honour and Conscience. Ordered, That the Earl of Mortown advertise the Earl of Hume to wait on the Committee on Tuesday next.

A Letter from the Viscount of Tarbat to the President, desiring that the Warrant for disarming or securing the Master, his Son, may be directed to General Mackay, being now in that Country, and not to any of his Neighbours, to obviate any difficulty that might otherways occur in that matter: And thereupon ordered, That a Letter be written by the President to the Viscount, requiring him to give notice to the Committee how he came to hear of any such Warrant.

Ordered, That the General Receivers draw Precepts on the Collectors of the Shire of \_\_\_\_\_ for payment of 35 l. Sterling, to the Officers of each of the two Companies under the Command of the Lord Forrester and Captain Durham in Blantyr's Regiment, to be allowed in the Pay of the said Companies.

Recommended to Collonel Balfour to order an Officer to Muster the Companies of Captain Suintown and Captain Sleigh, in Blantyr's Regiment, that they may be entered into Pay.

Mr. Andrew Afflect,<sup>1</sup> Minister at Newbottle, being called, and having acknowledged he had not read the Proclamation, nor prayed for K. William and Q. Mary, he was deprived of his Benefice, and his Church was declared vacant.

Thomas Laury, Merchant in Edinburgh, being called, and examined, declared, That Mr. Findlay had Married the Declarant's Sister-in-law, when he was Schoolmaster in Hamilton; and that he knew him to be a Minister in Ireland: And that there was one Mr. Walter Forrester, a neighbour Minister, who was gone to the Pans, that could give best information of him.

Some unsubscribed Doubles of Letters sent by Lieutenant

<sup>1</sup> Auchinleck.

Collonel Cleeland, relative to the election of Magistrates for the Burgh of Rothesay, read.

Remitted to the Sollicitor to modifie the accompt of Expence given in by the Herauld and Trumpeter who summon'd the Garison of the Bass.

The Committee having considered the Doubles of the Letters sent by Lieutenant Collonel Cleeland; Ordered, That Bailiff Spence, and George Striveling be attended by a Macer, to wait on the Sheriff of Boote, to the end he might compear before the Committee.

Ordered, That the Sheriff of Boote's Servant, who was seized at Greenock, by Lieutenant Collonel Cleeland, be sent close Prisoner to Edinburgh, by the commanding Officer at Glasgow; And not allowed to converse with any person in the Journey.

The Viscount of Tarbat's return to the Letter written to him by the Committee, was read, bearing, That he had received accompt from Ross, that Balnagown intended to seek, and did expect a Warrant to secure the Mr. of Tarbat, his Son, and thereupon had written his former Letter to the President.

Collonel Balfour being called in, Ordered, That he have another Warrant, to secure such Officers as left the King's service.

Ordered, That Mrs. Tod, Prisoner, be brought from the Guard, and Imprisoned in the Tolbooth of Edinburgh.

Ordered, That the Lairds of Lewcat and Lamington, Provost Muire, and Sir John Hall, search the Writs belonging to the Sheriff of Boote within his Lodgings in Edinburgh. And Warrant given them for that effect.

On a Petition by the Parocheners of Newbottle, Ordered, That Mr. John Mossman, Preacher at the Meeting-house of Newbottle, have liberty to Preach at the Church of that place, reserving the Patrons right, as accords.

Ordered, That Mr. Robert Hodge, Preacher at the Meeting-house of Inverskieling,<sup>1</sup> be allowed to Preach at the Church of that Burgh, reserving the Patrons right, as accords.

<sup>1</sup> Inverkeithing.

Ordered, That the Minister of Curry<sup>1</sup> be cited before the Committee, against Tuesday next.

Mr. George Hendry, Minister at Corstophin being called, acknowledged that he had not read the Proclamation, nor prayed for King William and Queen Mary; and being removed, was called again, and deprived of his Benefice, and his Church declared Vacant; and thereafter, he was ordered to attend the Committee on Monday next, as he should be answerable at his peril.

Mr. James Hunter, Minister at Striveling, being called, acknowledged, He had not read the Proclamation; but that he had not seen it. Acknowledges likewise, That he had not prayed for King William and Queen Mary; but that he prayed for the Royal Nephew, and the Princess-Royal, whom the Estates had proclaimed King and Queen. Thereafter a Letter being read from Lieutenant-Collonel Lauder to the President, bearing, That he had prayed, That King James should be Restored, with some other expressions reflecting on the present Government. The Witnesses for proving the Contents of the Letter were called, and made faith: and Mr. Hunter having nothing to object against them, was removed, and their Depositions ordered to be taken before the Provost of Dundee in the other House.

Ordered, That the Ministers of Kincarden<sup>2</sup> and Camungate,<sup>3</sup> be cited to compear before the Committee

The Laird of Mackerstown, elder, being called, subscribed an Act upon Parol of Honour, to live peaceably, and compear when called, and was thereupon dismissed.

Ordered, That the Ministers of Dunce,<sup>4</sup> Aytown,<sup>5</sup> and Churnsyde,<sup>6</sup> be cited to appear before the Committee.

Mr. Robert Ramsey, Minister at Prestun-Panns, being called, acknowledged he had not read the Proclamation, nor prayed for King William and Queen Mary; and being removed, was called in again, and deprived of his Benefice, and his Church declared Vacant.

<sup>1</sup> James Scrymgeour.

<sup>2</sup> John Cameron, Minister of Kincardine-in-Menteith.

<sup>3</sup> James Craig.

<sup>4</sup> William Gray.

<sup>5</sup> John Bethune.

<sup>6</sup> James Lawtie.

On a Petition in Name of the Parocheners of Carrington, Ordered, That the Preacher of the Meeting-house in that Paroch, be allowed to Preach in the Church, reserving to the Patron his Right to present, as accords.

Ordered, That Mr. Rout and Mr. Norie, Ministers at Dundee,<sup>1</sup> be cited to compear before the Committee.

The Countess of Argyle's Petition for liberty to see the Earl of Belcarras, her Son, being again read, the Vote was asked, If the liberty already granted should be continued to the Earl, or not ? and carried, That the liberty should not be continued, but that the Countess see her Son once this night, in presence of the Lairds of Caddell and Lewcatt.

Ordered, That the Macers advertise all the Members of the Committee, who are in Town, to meet in the Committee to morrow.

Ordered, That the Laird of Mackerstown, younger, compear before the Committee on Friday next.

A Petition by Joseph Elwart, Skipper, being read, Ordered, That the Petitioner be examined by Sir John Hall, and set at Liberty, as he shall order.

Ordered, That the Earls of Louthian and Mortown, the Lairds of Lamingtown and Riccartown, see the 36 Horses of the Lord Ross's Troop raised in the Shires of Peebles, Linlithgow, and Edinburgh, mustered this afternoon, to the end they may be entered into the publick Pay.

Ordered, that Precepts be drawn by the Receivers, for payment of 35 l. Sterling to each of the two Companies of the Lord Strathnaver's Regiment, levied by Lumsdean of Invergelly.

Ordered, That Mr. Finlay the Prisoner be set at liberty.

May 13. The Viscount of Dundee hath dispersed his Foot, and hath only a Troop of Horse amounting to 80 Troopers. He sent to the Town of Inverness to demand Contribution, otherwise threatned them with Military Execution ; whereupon some of the neighbouring Gentry gathered together 800 Men and entred the Town, and so

<sup>1</sup> Robert Rait and Robert Norie, Ministers respectively of the second and third charges.

the Viscount and his Troop was not only disappointed of that prey, but also were forced to retire to the Mountains. This Viscount also attempted to have entered into the Town of Dundee by surprize ; but they were so well prepared to have repulsed him, that he durst not approach that Town. These two unsuccessful attempts, made the Viscount to endeavour to effect that by Stratagem, which he could not do by open force ; therefore on the sudden, with about Forty Horse, in the dark night he entred Saint Johnston,<sup>1</sup> and rudely seizes two or three Gentlemen that were sleeping in their Beds, and carries them Prisoners along with them, and gives it out, that he will exchange them for the Earl of Belcarras, who is in the Gaol in Edinburgh.

The Castle plays fiercely against the Trenches and Town, to the loss of some Lives. The Bombs have made considerable execution in the Castle.

The Estates have ordered some persons to take up the Duke of Gourdon's Rent for the publick use, forgiving a Years Rent to the Tenants, provided they live peaceably, and be active against the Rebel, their Landlord, and others in Arms against Their Majesties ; and they have done the like as to Dundee's Estate.

From Londonderry we have this certain Account, That within this nine days the Besieged made a brisk Sally with the most part of the Garison to the great consternation of the Irish Army that besieges them. In this Action several Persons of Quality (amongst the Irish) were killed, and many of the Soldiers. Some Protestants near that Town took protection from the late King James ; but as soon as he returned to Dublin, the French and Irish murdered them all ; and particularly, one Ensign Thompson, fearing the worse, invited many Officers to a Feast, and told them, That he trusted to his Protection from His Majesty, therefore prayed them, as Gentlemen and Soldiers, to preserve him and his Family ; which they frankly promised to do ; yet that very night they were all murdered. Such Examples are too plentiful in every corner of that poor Country.

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<sup>1</sup> Perth.

Number 22.

AN

## ACCOUNT

Of what passed in the  
Banqueting-House at *WHITE-HALL*,  
Upon the 11th day of *May*. 1689.

At the Delivery of the

## Crown of Scotland:

With Authentick Copies of the Speech of  
the Earl of *Argyle*; The Letter from  
the Estates; The Address; Coronation  
Oath, &c.

The Earl of Argyle, Sir James Montgomery of Skelmorly, and Sir John Dalrymple of Staire, the Commissioners sent (by post) by the Meeting of the Estates of Scotland, to offer Their Majesties the Crown of that Kingdom; About three of the Clock met at the Council-Chamber, and from thence were conducted by Sir Charles Cottrel, Master of the Ceremonies, attended by most of the Nobility and Gentry of that Kingdom, who reside in and about this place, to the Banqueting-House, where the King and Queen came, attended by many Persons of Quality, the Sword being carried before them by the Lord Cardross (and their

Majesties being placed on the Throne under a rich Canopy) they acquitted themselves of their Commission as follows.

The Earl of Argyle (before the presenting of the Letter from the Meeting of the Estates of Scotland to the King) spoke thus ;

May it please your Majesty,

It cannot be unknown, in how sad and deplorable a Condition the Kingdom of Scotland was not many Months ago ; the Liberty and Property of the Subject quite destroyed, either upon pretence of Law, without any ground or by such Laws as were designed and calculate for enslaving us : our Religion exposed, and laid open to be ruined by the Treachery of our Clergy, as well as by the Compliance of our Rulers. And so far had this Popish and Arbitrary Design run on, that we were very nigh past hopes of a recovery, when it pleased God to raise up Your Majesty to be the Glorious Instrument of retrieving our Religion, Liberty and Property from the very brink of Ruine.

It is from the grateful and dutiful sense of so happy and unexpected a Delivery, as well as from the Respect due to the Blood of their Ancient Monarchs, that the Estates of Scotland have Commissionate us to make a humble Tender to Your Majesty, and Your Royal Consort, of that Crown and Kingdom, with the firm persuasion and assurance of this rooted in their hearts, That the Care and Protection of Religion, Liberty and Property, could be no where so well lodged as in the Hands of Your Majesties, their Great and Glorious Deliverers.

Then his Lordship presented to his Majesty the following Letter ; which being delivered back, was read by Mr. Eliote the Secretary to the Commission.

A Letter from the Estates of Scotland  
to the King.

*(The text of the letter is given in A.P.S. ix. 60-1.)*

Then Mr. Eliote proceeded to read the Claim of Right,

after it had been presented to his Majesty, by the Earl of Argyle, and delivered back by the King. [See Instrument of Government already Printed Number 12.]

In the third place was read a Paper of Grievances, which the Estates desired might be redressed, [which is already Printed in the Instrument of Government, Numb. 12.]

Then followed the reading of the following Address.

An Address to His Majesty.

May it please Your Majesty,

It is the humble desire of Your Estates of Scotland, That for the further settling and securing of the Protestant Religion, the Government, Laws, and Liberties of this Kindom, and redressing the Grievances represented by them, Your Majesty will be pleased to turn this their Meeting into a Parliament.

Signed at the Desire of the Estates, and in our Name, by our President.

May it please Your Majesty,  
Your Majesty's most Humble, most Obedient,  
and Faithful Subject and Servant,

Edinburgh,  
April 24.  
1689.

Hamilton P.

After these Papers were read, His Majesty was pleased to express himself to this purpose :

That at His coming from Holland, he had a particular regard to Scotland, and had emitted a Declaration for that Kingdom as well as for England, which he would make effectual to them : That He did take it very kindly Scotland had expressed so much confidence in Him, and should testify His Sense of it in every thing that might be for its Interest, and would be ready to redress all Grievances, and prevent the like for the future by good and wholesome Laws.

In the last place the Coronation-Oath was tendered to their Majesties ; which my Lord Argyle pronounced dis-



tinently word by word, and their Majesties repeated it after him, holding up their Right Hands, according to the Custom of taking Oaths in Scotland.

#### The Oath.

We William and Mary, King and Queen of Scotland, faithfully Promise and Swear, by this Our solemn Oath, in presence of the Eternal God, that during the whole course of Our Life, we will serve the same Eternal God, to the uttermost of Our power, according as he has required in his most holy Word, reveal'd and contain'd in the New and Old Testament, and according to the same Word shall maintain the True Religion of Christ Jesus, the Preaching of his Holy Word, and the due and right Ministration of the Sacraments, now Received and Preached within the Realm of Scotland ; and shall abolish and gainstand all false Religion contrary to the same, and shall Rule the People committed to our Charge, according to the Will and Command of God, Revealed in his aforesaid Word, and according to the Loveable Laws and Constitutions received in this Realm, no ways repugnant to the said Word of the Eternal God, and shall procure, to the utmost of Our power, to the Kirk of God, and whole Christian People, true and perfect Peace in all time coming. That we shall preserve and keep inviolated the Rights and Rents, with all just Priviledges of the Crown of Scotland, neither shall we transfer nor alienate the same ; that we shall forbid and repress in all Estates and Degrees, Reif, Oppression, and all kind of wrong. And we shall Command and Procure that Justice and Equity in all Judgments be kept to all Persons without exception, as the Lord and Father of all Mercies shall be merciful to us. And we shall be careful to root out all Hereticks and Enemies to the true Worship of God, that shall be Convicted by the true Kirk of God of the foresaid Crimes, out of Our Lands and Empire of Scotland. And we faithfully affirm the things above written by Our Solemn Oath.

Under

April the 24th. 1689.

This is the Oath to be Presented to their Majesties, the King and Queen, appointed by the Estates to be Marked by me as their President.

Hamilton P.

The Meeting of the Estates of Scotland had authorized their Commissioners to represent to His Majesty, in relation to the last Clause of the Oath, about the rooting out of Hereticks, That by the Law of Scotland no man can be destroyed or persecuted for his private Opinion; and that even obstinate Hereticks, convicted for perverting of others, can only be denounced or out-lawed: Whereby their moveable Goods are Confiscated. Accordingly they did represent the same to the King; and His Majesty, when He took the Oath, at pronouncing of the last Clause, did say publickly, I do not mean by these Words, to be under any necessity to become a persecutor: and did require the Commissioners, as Witnesses, that he had signified so much in taking the Oath: To which the Commissioners answered, That persecution was neither intended by the Oath, nor required by the Law of the Land.

Then Their Majesties signed the Oath, in presence of the Commissioners, etc.

God Save King William and Queen Mary.

Finis.

Number 23.

From Tuesday May 21. to Saturday May 25.

In the Committee of the Estates, 12 May, 1689.

Called extraordinary.

A Letter read, written by the Provost of Perth to the Duke of Hamilton, bearing, That the Viscount of Dundee had come from Inverness on Wednesday last, and by Dunkeld came to Perth on Saturday by two a clock in

the morning, with about 120 Horse, or thereby; where he surprized the Town, and in it the Lairds of Blairstown and Pollock,<sup>1</sup> being the Captain and Lieutenant of the Troop ordered to be levied in the Shire of Perth, and some of the Troop and Country-Gentlemen; and that he had got forty Horses from them, and about eleven a clock had retired from the Town Northward again.

Ordered, That the Earl of Forfar, and the Laird of Culloden<sup>2</sup> go to the Marquess of Athol's Lodging, and report to the Committee such an account as the Marquess shall give anent the condition of the Country of Athol, and what diligence his Lordship had done for securing of it.

Ordered, That a Commission be drawn to the Laird of Culloden, for uplifting the Rents belonging to the Duke of Gourdon, for the use of the Publick; and that an Act be drawn, discharging such of the Duke's Tenants in Badgenoch of the current years Rent, and all by-gones, as will rise in Arms at this time for maintaining the Peace of the Country.

A Letter from Captain Hamilton, Commander of the Frigats in the publick Service, of the 8th currant, to the Duke of Hamilton, bearing, That he had destroyed and taken some Boats belonging to the Enemy on the Irish Coast; and that he had account, That the Irish gathered all the Boats and Vessels they could at Carrick Fergus.

Ordered, That the Earl of Dumferling, the Lord Dunkield, and Laird of Coxtown,<sup>3</sup> be cited to appear before the Committee; as also John Cleeland of Faskin, and the Laird of Culrean.<sup>4</sup>

A Letter written to Major Arnot, Governour of Dumbar-ton Castle, to attend the Committee on sight of the Letter.

Ordered, That Mr. Robert Cleeland, Commissioner from the Burgh of Anstruther Wester, have a Commission to secure the Coasts of Fyfe from any Descents of the Garison of Bass; and a Warrant to secure Five Pounds Reward to any person who shall take any Boats belonging to that Garison, besides the Boat and Rigging.

<sup>1</sup> Robert Pollock of Pollock.

<sup>3</sup> Sir Alexander Innes.

<sup>2</sup> Duncan Forbes.

<sup>4</sup> Culzean.

Ordered, That Captain A. Dunbar have a Commission to raise Twenty Men, to be paid conform to the ordinair Establishment, and with them keep Guard at Castletown, and secure the Coast of Louthian from any Descent from the Bass; and that the Commission be brought in to morrow.

Ordered, That the Laird of Duntrun,<sup>1</sup> Captain James Wawchope, David Graham, Brother to the Viscount of Dundee, and Laird of Abbercainey younger,<sup>2</sup> be cited before the Committee.

May 13. A Commission by Admiral Herbert to Captain Rook, to command seven Ships of War, and cruise on the Coast of Ireland, produced by the President, and read.

A Letter from Hugh Brown to the President, read, bearing account of a Sea-fight betwixt the English and French Fleets on the Coast of Ireland the first instant: The issue of which was, The sinking of the French Admiral, and taking one Ammunition Ship, and a Provision Ship; and that four of the English Men of War had come towards the Isle of Arran, and had brought up a Yatch of the late King James's.

A Letter read from the Viscount of Stormont to the President, bearing, That the Viscount of Dundee had forced his Dinner from him at his House of Scoon on Saturday last; and therefore that his intercommuning with the Viscount of Dundee being involuntary, might be excused: And thereupon Ordered, That three Letters be written from the Committee; one to the Viscount of Stormont, another to the Lord Drumcairn,<sup>3</sup> and a third from them to the Laird of Scots-Tarbat, who were informed to have been then at Scoon, to the end they may come and wait upon the Committee, and give farther account of the occasion of their intercommuning with the Viscount of Dundee.

Ordered, That the seven Companies of the Earl of Marr's Regiment already mustered, march to Coupar of Angus; and that the other three Companies come up to the Regiment as soon as they are mustered.

<sup>1</sup> William Graham younger of Duntrune.

<sup>2</sup> William Moray.

<sup>3</sup> Sir John Murray.

Ordered, That the Minister of Ceiris<sup>1</sup> be cited before the Committee.

May 14. Called extraordinary at Six a Clock  
in the Morning.

The Committee being met, Two Letters were read from Bailiff Duncan in Dundee, to the Provost of Dundee, bearing, That the Viscount of Dundee had attacked the Town of Dundee yesternight at Five a Clock; and thereupon an Express was sent to the Duke of Hamilton to repair immediately to Edinburgh, and another to Sir John Lanier, to send in Barclay's Regiments of Dragoons, lying at Berwick, and the Foot Regiment of Hastings; and that he should send other Two Foot Regiments with the first conveniency.

A Warrant sent to the Magistrates of Dunbar, to send in a blank person Prisoner to Edinburgh immediately.

Ordered, That witnesses be cited for proving some Treasonable Expressions against Mr. George Hendry, late Minister at Corstophin: And that the said Mr. George be cited against Thursday.

The Deposition of the Witnesses anent the Expressions of Mr. Alexander Hamilton, Minister at Stentown, against the Government being read, Ordered, That a Warrant be given for bringing in the said Minister Prisoner to the Tolbooth of Edinburgh. Adjourned to Ten a Clock.

Simon Fetter, Joyner, being examined anent the design of some persons to go unto the Castle of Edinburgh, and of hiring him to go and work there, gave in a Declaration of it in Writing; and thereon ordered, That the Laird of Lewcat take his Declaration upon Oath in the other House: And that a Macer bring Sir James Grant, Advocate, before the Committee.

A Letter being read from the Lord Bargany to the President, with another from the Laird of Cairletown to the Solicitor, bearing, That the House of Ardmillan was Garison'd for the King's Service; And thereupon ordered, That Cairletown should presently have a Commission to Levy 10 Men to keep and secure the said House, whereof one to be a Serjeant, to be maintain'd at the Publick

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<sup>1</sup> John Mathers.

charge : And as many Men, in the same terms, for Garisoning the House of the Cove, belonging to the Laird of Culrean, with power to name an under Officer to Command one of the said Two Garisons.

A Letter from the Earl of Eglington to the President, being read, Ordered, That a return be written, That the Heretors and Fencible men, in the Shire of Aire, should be instantly raised, modelled and commanded, conform to the appointment of the Estates.

Adjourned to Ten a Clock to morrow.

May 15. A Letter from Sir John Lanier, bearing, that the Regiment of Dragoons, and two Regiments of Foot called for by the Committee, should be at Edinburgh the 17 at night.

Ordered, That the Lord Ruthven, Sir Jo. Maitland, the Laird of Culloden, Provost Fletcher, and the Laird of Lewcatt, consider of the most convenient Quarters for the English Regiments, to be sent by Sir John Lanier, and report in the Afternoon.

Ordered, That the Lord Newbottles Troop March to Roxburghshire, there to quarter upon the deficient in making the Horse Levies, until they make their Levies conform to the Act.

Adjourned to Three a Clock in the Afternoon.

Upon a motion by Sir John Maitland, That the Commander of the Bass had sent a Woman to tell him, offering to give up Captain Wallace, now Prisoner in that Garison, to be disposed of by the Committee, if they would give order to receive him. Ordered, That Sir John be allowed to receive the said Prisoner from the said Garison, notwithstanding of the intercommuning against them, and to carry him to Edinburgh till further orders.

Ordered, That the Duke of Gourdon and his Complices be denounced Rebels ; and the Liedges discharged to intercommune with him.

Adjourned till Ten a Clock to morrow.

May 16. Mr. John Waters,<sup>1</sup> Minister at Ceris, being called acknowledged he had not read the Proclamation, nor prayed for K. William and Q. Mary ; and being removed,

<sup>1</sup> Mathers.

was called again, and deprived of his Benefice, and his Church declared vacant.

A Letter from the Earl of Annandale to the President read, and ordered, That the Earl have Warrant to secure persons coming from the English Borders without Passes; and that the Earl of Marr's Regiment March unto Roxburghshire.

Ordered, That Doctor Burnet call any Chyrurgion he pleases, and that they both have access to let Blood of the Earl of Belcarrass immediately.

Ordered, That 30 pound weight of Powder, and a proportion of Ball be given to the Laird of Mifarlen,<sup>1</sup> out of the Castle of Dumbarton.

Adjourned till Ten a Clock to morrow.

May 17. Ordered, That the Magistrates of Bruntisland, Kinghorn, and Kirkoldy, send their whole Passage Boats to Leith, to attend the transporting of the English Regiments to morrow morning, and on Monday Morning without failure.

A Letter from the Viscount of Stormonth to the President read, excusing his not waiting on the Committee for some days; and ordered, That another be written, requiring the Viscounts attendance on Monday precisely: And another to the Lord Drumcairne<sup>2</sup> to the same purpose.

Ordered, That the Provost of Pearth secure Mr. Barclay, Minister of that Burgh, and send him in Prisoner to Edinburgh; And that the Burgess concur to put this Order to due execution.

A Letter from Major Levingstown, bearing that the Viscount of Dundee had left that place, and had Marched Northward.

A Letter from Hugh Brown, with accompt of the March of the Detachment unto Argyleshire.

May 18. We are Alarmed by discovering a number of Ships in the River before Leith; but we hope that they are Dutch Ships to help us. We have just now received the joyful News. That Major General Mackay hath fought with, and defeated the Mackdonalds, and other Highlanders that were out in Rebellion: The particulars are not yet known; the next will inform us fully of all circumstances.

<sup>1</sup> John Macfarlane younger.

<sup>2</sup> Sir John Murray of Drumcairn.

The Victory at Londonderry over the Irish Rebels is this Post confirm'd from several hands.

Number 24.

From Saturday May 25. to Tuesday May 28.

Edinburgh, May 20. 1689.

The General Muster-master, and the Major of the Lord Angus's Regiment, being called before the Committee, to give Account of the said Regiment, Ordered, That 400 Muskets be given by Collonel Balfour, to the said Major for the use of the Regiment; and that 400 Pikes be given to him by the Person, in whose Custody the said Pikes are at Striveling; and that the said Regiment be Quartered in Falkirk, Lerbor,<sup>1</sup> St. Ninians and Kilsith; notwithstanding of any former Warrant to Quarter at Striveling, and there stay till further Order; and that two Barrels of Powder with Ball and Match conform, be given them forth of Striveling Castle.

A Letter from Auchnabreck<sup>2</sup> to the Lord Ross, as President, being read, Ordered, That a return be written, bearing, That the detached Party under Captain Young's Command, were sent unto Argyle, and that Meal shall be sent from Clyde, as soon as may be; and that 200 Firelocks were ordered to be given by Collonel Balfour, for the Earl of Argyle's Regiment. And that the Committee have ordered Patrontashes to be made for them at Glasgow, conform to the Letter to be sent by Auchnabreck to Dowhill<sup>3</sup>; and which were accordingly ordered to be made.

A Letter from Captain Young to Collonel Balfour, read, bearing account of his Ingagement with the Highlanders in Kintire, with another Letter from the Laird of Loup,<sup>4</sup> and Capt. Young; with another from Loup to one Ranald Campbell:

<sup>1</sup> Larbert.

<sup>3</sup> John Anderson.

<sup>2</sup> Sir Duncan Campbell.

<sup>4</sup> Alexander MacAlister.



Another Letter to the Duke of Hamilton, with Account from Greenock, That the French Ship in Kintire, was taken by the Macleans, with an Information by John Millar Skipper, newly come from Nants in France, of the Forces, Provisions and Ammunition, sent from France to Ireland.

A Letter from the Earl of Glencairne, to Collonel Balfour, being read, Ordered, That a return be written to the Earl. that Arms and a Months pay had been formerly ordered for his Regiment ; and therefore, that the Regiment March for Glasgow, there to Quarter till further Order ; and that the Earl repair to Edinburgh, without delay.

Ordered, That the Lord Bargany's Regiment March and Quarter at Kilpatrick, Dunbarton, and the adjacent Places, till further orders, and that the Lord Bargany repair to Edinburgh immediately.

Ordered, That the Viscount of Kenmuire's Regiment March into Drumfreis, till further order ; and the Shire of Drumfreis furnish 15 Horses to carry the 300 Muskets from Leith, for the use of that Regiment.

Remitted to the Estates, what Warrant is to be given to Captain Young, anent those Persons, who offer to Capitulate ; and such as being required, will not concur in the publick Service.

Ordered, That Dowill cause make Patrontashes at Glasgow, for the use of Captain Young's Detachment, and the Earl of Argyle's Regiment ; and that return to Captain Young's Letter bear, that the same was accordingly done.

A Letter from the E. of Eglingtown, to the Lord Ross, read, with Account that Thomas Ferguson, and one Philips, were seized by him, as they Landed in a Boat from Ireland, with 14 Horses ; with another from the Surveyor at Aire, anent the Beef taken out of the French Ship in Kintire and thereon Ordered, That the Horses be roused by the said Surveyor, at sight of Mr. William Rogers, being within 10 l. Stirling price ; and that such of them as are worth that Price, or above, be sent to Edinburgh immediately, with the Price of the rest. And that the Beef be kept till further Order.

Lieut. Coll. Graham being called, was ordered to send the best 16 Men in his Company in Bargany's Regiment, to Captain Young, to be disposed of by him among the Detachment sent into Argyleshire, as he shall judge fit, for to serve as Serjeants and Corporals in the several Companies.

Ordered, That the Provost of Edinburgh get all the Bionets to be sold in the Town, for the use of the Regiments; and make Intimation, that such of the College of Justice as have Bionets, give them in to be paid for by the Publick. And that the Lord Boyn, and their Captains, be spoke to, for that effect.

Ordered, That a Letter be written to Major General Mackay, to bring up the Horse Levies in the Lord Levot, and the Earl of Seaforth's Division of Inverness shire, Ross, Sutherland, and Caithness, to the end they may be divided, for compleating the rest of the Troops; and that if he cannot get sufficient Horses, that he Order 15 l. Sterling to be exacted from the Leaders for ilk Horse, and 15 s. Sterling for 10 days pay of ilk Horseman.

Ordered, That a Letter be written to the Earl of Eglington, ordering him to send in Mr. Philips and Thomas Ferguson, Prisoners to Edinburgh, with the Priest, and other two Prisoners, seized by the Lord Bargany.

May 21. After calling the Rolls, a motion being made by the President for obliging the Members of the Meeting to give attendance; a Proclamation ordered to be drawn, narrating and renewing the former Proclamation, commanding their attendance on pain of Imprisonment: And farther added, That such as will not now attend betwixt this and the 28th instant, shall be holden and reputed as disaffected to the Government, and proceeded against accordingly.

A Letter from the Earl of Marr to the President read, and thereon Ordered, That the Return to the Earl's Letter bear, That the Countess of Pearth have no longer access to see the Earl her Husband, Prisoner in Striveling Castle; but that the Centinels be removed out of the Earl's Chamber, he being otherwise securely and closely kept: And that the Earl of Marr prosecute his former Orders of

marching unto Fyfe with his Regiment. And the Estates have ordered Sir Patrick Murray to go unto Striveling, and to take an estimate of the Expences of the particular Reparations necessair to be made in that place, with advice of Lieutenant-Collonel Lander ; and likewise to take trial of the most advantageous way how to dispose of the Meal in that Garison, and to report to the Estates, or Committee of them who shall happen to be sitting, That the Park of Striveling be kept, and the Goods provided to grase in it, otherwise disposed of, in regard Major-General Mackay has written a Letter, desiring the said Park may be kept for the use of the Forces ; And that the Earl write to Capt. Bryce to repair to Edinburgh on sight, to receive satisfaction anent the particulars in his Letter ; and in the mean time, that Capt. Bryce should secure any persons whom he has ground to suspect of having the Cannon mentioned in the Captain's Letter to the Earl ; and that the Earl put such persons as he justly suspects of Designs against the Government under Bail, to secure the Peace, and compear before the Estates when called ; and that he require such persons as he has already put under Bail, to repair to Edinburgh immediately, to appear before the Estates.

The Proclamation for the attendance of the Members under the foresaid Certification, read, voted, and approven.

The consideration of the Citations, or other legal diligence, to be executed against such persons as are in Arms against the Government, or in correspondence with such persons, continued till another time.

Ordered, That Capt. Young, Commander of the Detachments sent unto Argyleshire, have Warrant to give a safe Conduct to such as apply to him for a Capitulation, to the end they may compear before the Estates at Edinburgh, and to return ; providing they come in before the 15th day of June next ; and that he put the Lands of such persons as will not apply, and submit to him, under Military Execution ; and that he disarm and dilate such persons as being required, will not concur in the Service of the Government ; and that he have 200 Patrontashes for Musquets out of the Castle of Striveling, and a Warrant to

the Earl of Marr for that effect ; and that the Provost of Edinburgh provide 200 Bionets to be sent him immediately, with the 16 Men, who are commanded to be joyned to him out of Lieutenant-Collonel Graham's Company in Bargany's Regiment.

Ordered, That a Proclamation be drawn, bearing, That such a number of the Commissioners of the Supply as should meet in the respective Shires for the first Dyet, be a Quorum, and approving of the Shire of Haddingtown their Proceeding, albeit the number of those who met were not a Quorum by the former Acts. And the new List of the Commissioners of the Supply in Aberdeenshire given in by the Master of Forbes, approven, and ordered to be the Commissioners in that Shire for the future, instead of the former List ; and that they chuse their Convener at the first Diet ; and that a Return be written to the Master of Forbes's Letter, That for this time he command Marshall's part of Aberdeenshire ; and that the Earl of Marshall command the E. of Arroll's part of that Shire.

The Earl of Dundonald, the Viscount of Tarbat, the Lairds of Ormistown and Blackbarrony, Sir John Hall, and Bailiff Spence, named as a Committee to call for Sir Thomas Moncrief, Clerk to the Treasury, and compute the Expences of the Forces in the publick Pay, with the other necessair Expences to be defrayed in this juncture, together with the extent of the Revenue, and to report.

Ordered, That the Beef taken out of the French Ship, be given for providing of the two Frigats ; and that a quantity of Bisket be provided for them immediately at the Town of Glasgow.

Ordered by a Vote, That the former Committee appointed for the Security of the Peace of the Kingdom, be continued.

Ordered, That the Committee to consider of the Expences of the Forces, etc. meet at Five a Clock this night ; and the Committee for securing the Peace, meet at Ten a Clock to morrow.

Ordered, That the Earl of Marr correspond with the Earl of Levin, to the end their respective Regiments may not incommode one another in their Quarters in the Shire of

Fyfe; and that it be added to the Letter to be written to the Earl of Marr.

Adjourned then to Ten a Clock on Friday next.

The Fleet that appeared in the River before Leith, proved a Dutch Fleet of Merchant Ships, with some Men of War for their Convoy. Capt. Young beat the Highlanders so effectually, that many were killed, others were taken Prisoners, and some fled to the Mountains: the rest got aboard the Boats (which carried them thither) in great confusion, and to the loss of many of them, through the throng and press which the approach of the Captain and his Forces forced them to. This Defeat is of very great consequence for the publick Peace; The Highlanders being disappointed of their hopes and expectations, now submit, and confess their Error, in trusting to Irish-French Succours; and are become sensible, that the Contest now is not betwixt King William and the late King James, nor consequently betwixt Protestant and Papist, but whether Great Britain and Ireland shall be preserved in their Religion, Laws, and Liberties, as they are; or whether they shall be conquered and subjected to the French Tyranny, and Irish bloody Cruelty.

#### Number 25.

From Tuesday May 28. to Saturday June 1.

Edinburgh, May 22. 1689.

Mr. John Auchinleck, Minister at Largo, being called, and the Execution against him read, Ordered, That he appear to morrow before the Committee; and a Warrant to Macers, to cite him again for that effect.

Ordered, That a Precept be drawn for payment of twenty Marks, to each twelve Boats, who transported the Detachment from Renfrew unto Argyleshire.

Ordered, That Sir Patrick Hume have a Warrant to seize some Powder, discovered by him, for the use of the Forces.

Ordered, That a Precept be drawn for payment to Sir

John Hall, or his order, for the price of the Bionets, to be sent unto Argyle, for the use of Captain Young's Detachment.

Ordered, That a Precept for 5 l. be given to Ranald Campbell, to defray his Charge of coming to Edinburgh, and returning to Captain Young in Kintire, with the Bionets and Patrontashes for that Party.

A Letter from the Lord Bargany, to the President anent Thomas Ferguson, Prisoner, read, with another from Ireland, anent the Condition of affairs in the North of Ireland, and Town of Derry.

Another Information from Kirkudbright, anent the motion of some Persons, in that Stewartry: And thereon ordered, That the Earl of Anandaile bring in the Minister, who harboured the Lord Griphen<sup>1</sup> at his House, Prisoner to Edinburgh, and that Maxwell of Sprinkell, be cited to appear before the Estates, or the Government, for the time.

Ordered, That the Viscount of Stormouth, and Lord Drumcarne, be cited to compear before the Estates, or the Government for the time.

Ordered, That a Warrant be given to Major Henderson, in the Lord Angus's Regiment, to seize some Tenements belonging to the late K. James.

Ordered, That the Earl of Anandaile, or Viscount of Kenmuire, have a Warrant to call before them all Papists Heretors in the Stewartry of Kirkudbright, and Shire of Drumfreis, and execute the Proclamation, as to their Horses and Arms, and cause them subscribe an Obligement upon Parol of Honour to live peaceably, and compear when called. And secure such as shall refuse.

Ordered, That Sir John Hall raise Dunghills for securing the Streets of Edinburgh from the shot of the Castle.

Ordered, That Lieut. Coll. Cleeland secure the Fords of Cardross, Frew, and Newbridge, by placing Parties at convenient Places, next to the said Fords.

Adam Felbery, Switzer, being examined before the Committee, was ordered to be put aboard the Man of War, and sent to London; and in the mean time set at Liberty at Caution to enter the Man of War when called.

<sup>1</sup> Lord Griffin of Braybrooke.



Ordered, That the Switzer be set at Liberty, he having found David White of Byrehill, Cautioner for 100 l. Sterling, that the said Switzer shall enter the Man of War when called.

Ordered, That an Act be brought into the Estates, for a Warrant to the President for drawing Precepts to pay the Forces now Levied, a months pay for Officers and Soldiers, from this date, of those Troops and Companies that are already mustered, and from the respective musters of such as are not yet mustered ; and that Lists of the said Forces, with an Account of the Pay, be sent to His Majesty, that his further Pleasure thereanent may be known, providing the said months pay include the former Precepts.

May 23. A Letter read from the Earl of Marr to the President, bearing Account, That he had caused apprehend several Persons going to joyn with the Viscount of Dundee.

A Representation by the Earl of Belcarras anent his Indisposition, read ; Ordered, That the Earl be confined, and have the Liberty of keeping his Family in James Hamilton's House, he giving Parol of Honour, and Security for 5000 l. Sterling, that he shall not attempt his escape ; but thereafter the matter was delayed and remitted to the consideration of the Estates to morrow.

A Letter from the Magistrates of Dunbar, anent one Mr. Rancking Prisoner, with the Confession of the said Rancking read ; and ordered, That the Prisoner be sent into the Tolbooth of Edinburgh.

A Petition by David Buchannan, read ; Ordered, That the Petitioner, have the Liberty of a free Prison, provided he be kept securely.

A Petition by the Soldiers, who came out of the Castle of Edinburgh, upon the Proclamation of the States, read ; and Ordered, That 15 l. Stirling be paid to each of the Parties, by the Publick.

May 24. After calling the Rolls, the President having intimate to the Estates, That he had received Letters from Lieutenant-Collonel Lander, and the Laird of Ava,<sup>1</sup> certifying the News of the Earl of Marr's death ; and that the Prisoners who were ordered to be sent in from Striveling,

<sup>1</sup> Sir Charles Erskine of Alva.

were come to Edinburgh: Ordered, That the President write to the said Lieutenant-Collonel, That he should take care of the Garison of the Town and Castle of Striveling, until further Orders were given concerning it; and that the Letter contain a Warrant to him by the Estates for that effect.

A Letter from Major-General Mackay to the Lord Ross, as President of the Committee, anent the condition of Affairs in the North, read; with another from the Laird of Grant, relating to the Election of the present Magistrates of Elgin, and two Protestations anent the said Election: Ordered, That the Magistrates and Overseers named in the Act of the Estates concerning that Election, be cited to compear before the Estates the 5th day of June next; and that the President concert with Sir John Lanier, anent the Forces to be sent for Defence of the West Highlands; and that the Order for two Barrels of Powder and two Chests of Ball from Striveling, be dispatched to Sir Duncan Campbell, for the use of his Regiments; and that the Return to the Major General's Letter give a particular Account of the former Letter sent to him from the Committee, and their Proceedings as to the Contents of both his Letters.

A Letter from Charles Maitland, Governour of Bass, read, and thereon Ordered, That Sir John Maitland write to him, That if he will yet deliver up the Bass, and Prisoners therein, he should have his by-gone Arrears to himself and Garison, and they indemnified for what is past.

Ordered, That the Shire of Ross make a new Election of Commissioners to represent that Shire in the Meeting of the Estates, or next ensuing Parliament; and a Warrant directed to them for that effect.

A Petition by the Shire of Dumbarton read; Ordered, That the Magistrates of the Town of Dumbarton, or any one of them, be cited to appear before the Government, to answer to the Grounds of the Petition; and that the Governour of Dumbarton Castle give out such Arms in that Garison as were formerly taken from particular persons within that Shire; and that the persons named in the Petition, raise the fencible Men for Defence of the Shire.



A Petition by the Earl of Belcarras being read, Ordered, That the Earl have the liberty of James Hamilton's House in Edinburgh for himself and his Family and Servants, until he recover his Health ; he finding Caution for 5000 l. sterling not to depart forth of the said House, nor attempt his escape, nor maintain any correspondence with any person to the prejudice of the Government.

A Letter written to His Majesty from the Committee of Estates, dated the 19th day of May instant, read ; and, after some Debate, the Vote being stated, Approve of the said Letter, yea, or not ? it was carried in the affirmative.

A Letter from His Majesty to the Meeting of the Estates, in return to that which was sent from the Estates by their Commissioners to His Majesty, was then read : And thereon it was Ordered, That a Proclamation be drawn, adjourning the Meeting to the 5th of June next, and requiring all the Members to attend on the said day ; and that it bear, to be by Warrant from His Majesty.

Thereafter the new Commission and nomination of the Privy Council was read, and the Clerks to the late Council called to give an Account of the Presidents<sup>1</sup> in the time of the late King, when new Commissions were granted to the Privy Council, before the making of a Great Seal. Which being done, it was moved, If the new Privy Council should act as Council, before appending the Great Seal to the Commission, or any special Dispensation thereanent from His Majesty ? And an Act ordered to be drawn for their so doing.

The Earl of Louthian, Sir Patrick Hume, and Mr. William Hamilton, named to draw a Return to His Majesty's Letter, from the Estates immediately.

The Return from the Estates to His Majesty's Letter was then brought in, and read, with a Clause therein, bearing, That the Estates had approven of the Letter written from the Committee of Estates to His Majesty of the 9th current. And after some Debate, the Vote being asked If the Clause should be dele'd, or not ? it was carried, It should not be dele'd. Then the Letter was again voted, and approven.

Thereafter the Vote was asked, If the allowance desired

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<sup>1</sup> Precedents.

by the Letter of the Estates, That some of their Members should wait on His Majesty, to give him Account of their Affairs, should comprehend any more of the Members of the Meeting, than the President ? And it was carried, That the allowance should be desired for more ; and the Lord Ross, Polwort, and Mr. William Hamilton, named by another Vote to wait on the President, in case of His Majesty's allowance, for that effect.

The Act authorizing the Privy Council to act before appending the Great Seal to their Commission, or a special Dispensation thereanent from His Majesty, was read, voted, and approvén.

May 25. The Besiegers of the Castle throw many Bombs into it ; many are killed in the Garison ; yesterday 6 Men and a Woman were kill'd by the fall of a Bomb in the Castle. The Duke of Gourdon beat a Parley, with this Message, That he had been sick for eight days, and declared that the shooting into the Town was without his knowledge, and passed his Paroll of Honour, That during his life he would never prejudice the Town ; which gives great satisfaction to the Citizens. The Viscount of Dundee, with his Troop, is in Logh-whaber,<sup>1</sup> skipping from one Hill to another, like Wild-fire, which at last will vanish of it self for want of fuel.

#### Number 26.

From Saturday June 1. to Tuesday June 4.

Edinburgh, May 28. 1689.

The Convention being adjourned until the fifth of June, none can expect any further Account of their Journals or Proceedings till their next meeting.

The Viscount of Dundee is in the West Highlands, like an Incendiary, to inflame that cold Countrey ; yet he finds small encouragement, the Natives there, according to their old Custom, flock to him in great Numbers, not to serve

<sup>1</sup> Lochaber.

Him, but to serve Themselves, by stealing his Baggage, and such other Booty as they can lay hold on ; then they forsake Him and his weary Troops, which are not able to follow them. Their Horses are so jaded with constant Travel, and fainted for want of Food, that they are altogether useless. Most expect, that the Viscount and his Men will hasten to Ireland for Self preservation.

Another Letter of the same Date gives us this further Account, (viz.) The Viscount of Dundee is among the Highlanders, and, they say, hath got together some Men there ; but they are not to be regarded ; for it has been, and is the fashion of that People, to run together for a day or two, in hope of Spoil ; and if they get it, they then run away with it, as they did lately with Dundee's Baggage ; and if they get it not, they stay no longer for it.

Atholl's Men, they say, are also up ; but it's to defend their Countrey from Robbery and Violence in this loose time, they being afraid of some of their Neighbours, and are as ready as others are to serve the Publick. However, Dundee, and the other Highlanders, his Confederates, will prove but a Morning Mist, that will soon vanish. This needs not be doubted, we having often had the proof of it.

From Ireland we hear, That London-derry defends it self bravely. They are borrowing some Meal and other Provisions from us ; but it is much to be wished, that they had Supplies of Men and other things both from You and Us ; for which our Countrey affords the shorter passage.

We hear also, That twenty two Companies of Foot, and five Troops of British Horse from Eniskillin, have cut to pieces two Regiments coming from the late King James, with Bombs and other Provisions, to the Siege of Derry ; the News whereof not only strangely surprized and amazed the Army before that Town, but also shook the Resolution of the boldest Adventurers in the Army near Dublin ; insomuch that when a new Detachment was commanded to be sent to the Relief of the Army before Derry, they generally refused that Service, swearing, That they would not go to the two Kings Slaughter-house at Derry, to be hung up in the Hereticks Shambles at Eniskillin or Derry.

We hear from Killelea<sup>1</sup> by a person now come over from it, That the Irish have been barbarously cruel there; and that, after having defeated some British that took the Field, they killed many that were not in Arms; particularly, four old decrepid Men, and twelve Women, whereof five with child, because they bred Hereticks. We hear also, That the late King James his Life-guard are French, to the great discontent of the Native Irish; and that the French and Irish do no ways agree. The French Insolence could never be born with; witness Naples and Sicily, where the poor People found it more intollerable than the Spaniards Tyranny. They say also, That the Irish among themselves agree not.

The Governour of Dumbarton Castle hath not only submitted to the Convention and the new Privy Council, but is also come to this Town, to testifie his Loyalty to Their Majesties, and his Love to the Protestant Religion.

The Besiegers and Besieged in this Castle play warmly one at the other: The Besiegers constantly throw in their Bombs and other Fire-works into the Castle, tho often for whole days the Garison is so uncivil as not to return one Bullet. By this constant firing, the Garison will certainly fail, and surrender, tho its believed the Rock of the Castle can not be destroy'd by the Bombs

By other Letters from Ireland, it is affirmed for a truth, That the Irish have abandoned the Castle of Kilmore<sup>2</sup> near Derry, first blowing up the Works there.

#### Some of the Reasons for turning the present Meeting of Estates into a Parliament.

The present Meeting of the Estates being Assembled in a way wholly extraordinary, for the securing of the Protestant Religion, and re-establishing of our Laws and Liberties; And having now declared the Throne vacant, and of new conferred and settled the Crown and Government upon King William and Queen Mary, conform to the Instrument made for this essed<sup>3</sup>; And having also condescended upon the Grievances, which they expect to be

<sup>1</sup> Killyleagh.

<sup>2</sup> Culmore.

<sup>3</sup> end.

redressed ; they ought, and should be turned into a Parliament, for the Reasons following :

I. Because the turning of this Meeting into a Parliament, is absolutely necessary for attaining of the ends for which it was called ; it being evident, That albeit the Estates have indeed happily laid the foundation, by the Settlement they have made ; yet both the perfecting of the Claim of Right, and the redressing of the Grievances complained of, do indispensably require a Parliament, and by the same Argument of Necessity, the turning of this Meeting into a Parliament ; seeing the perfecting of that begun-work is not to be expected from other hands, nor can we in our present circumstances look for it with any probability: So that, unless the Estates would incur the Censure, That they begun to Build, and were not able to finish, they cannot leave this work unaccomplished.

II. Because our present Circumstances are manifestly such, as do neither admit of the delay of calling of a new Parliament, nor, in effect, do allow us to hope, that a new Parliament will perfect the begun-work ; the imminent threatning of an Invasion from Ireland, with the Jealousies and Distractions that are amongst our selves, are but too palpable Arguments to refute this conceit of calling a new Parliament.

III. Because we have the practice of England for a good precedent ; and as plain Necessity and Reasons have hitherto obliged us to tread in their footsteps, so these motives are at present most cogent for our continuance.

But it may be said, That the thing cannot be done in Law ; The Estates Assembled in their own Right, from absolute necessity ; and having now settled and surrendered the Government, they are *functi*, and divested ; and the King can no more turn this Meeting into a Parliament, than he could at another time constitute a Meeting of Men to be a Parliament, without a lawful Summons, and the Countries choice. As also, that Commissioners for Shires and Burghs have only their Commissions to the Meeting of the Estates, and not to a Parliament ; And for the Case of England, they had precedents, but we have none.

To all which it's answered, First, To begin with this last part, We have Englands practice for a precedent, and England it self had no precedent, save that of 1660. the lamest that ever was heard of; for there having been a Meeting called without the King, and consisting only of a House of Commons; when the King came home, he both adds to it the House of Peers, and turns it to a Parliament, without any Summons or other formality: And suppose that England may now alledge this for a Precedent, yet that Parliament 1660. (tho the best they have had since) had no precedent at all.

Secondly, It's true, That the Estates, by their Surrender and Settlement, are *functi*, at least as to that point; But what can possibly hinder, why the Estates, that have made so great a Settlement, and have laid down so many Preliminaries, may not add this as a Condition of the same Settlement, That for to make all their work effectual, King William should presently turn this Meeting into a Parliament? Certainly if the Estates had power (as no doubt they had) to mould and confer the Government as they have done. they have power to do this also; and in effect they cannot omit to do it, without a visible neglect, especially, seeing that neither the Instrument nor Commissioners are yet dispatched.

Thirdly, Tho this should be omitted, yet the same reason of State, and Invincible Necessity, the principal supports of all our late proceedings, do with the same force and evidence, require that this Meeting should be turned into a Parliament.

Fourthly, There can be no defect alledged in the Commissions for Shires and Burghs, but will more militate against what is already done, than against what is now craved to be done: But the truth is, the Commissions are full enough beyond all exception.

And Lastly, There can be no Treaty about the Union, without a Commission from King and Parliament; so that unless this Meeting be turn'd into a Parliament, this Treaty must be for a long time delayed and postponed.

Number 27.

A  
CONTINUATION  
OF THE  
PROCEEDINGS  
IN  
SCOTLAND.

From Tuesday June 4. to Saturday June 8.

Edinburgh, May 30. 1689.

The Duke of Gourdon beat a Parley, and sent a Letter to the Lord Ross, desiring to speak with him about some important Affairs that he had to impart to his Lordship. The Council being acquainted with this, permitted his Lordship to meet the Duke upon the Castlehill, but not to venture into the Castle. Which the Duke refused, saying, That he could not come out of the Castle to speak with him : The Duke of Gourdon also pretended, That the old Registers were damnified, therefore desired them to be removed. But the Council refused that, looking upon it as a contrivance to delay time, whereby he might cover his Bartisons, and Roofs of his Houses with Earth ; and that in the removal of the Registers, Letters and other things might be conveyed to or from the Duke. Several Bombs have fell through the whole stories of the Houses in the Castle,

so that many of them are destroyed, and they have neither safety, nor Rest to refresh themselves.

It's certain that the Macklans are in the Isle of Giger<sup>1</sup> near Kintire, and are surrounded by some English Men of War, and the Scotch Frigats; and that considerable Forces are resolved to attack them in that Island.

The Council hath ordered a considerable supply of Meal and other Provisions for the relief of the distressed but magnanimous Protestants in Londonderry, which is to be hastened to them.

Captain Hamilton, in his Frigat, hath been visiting the Irish Coast again, and hath taken and destroyed many Vessels and Boats that were gathering together upon the Late King James's Command; and hath put a great many Protestants aboard such Vessels as he took, and brought them to Kintire safe, thus reserving them from the French-Irish Cruelty and Slavery.

Major General Mackay hath ordered all the Forces, English or Scotch, old and new, to follow him, to hunt out Dundee and his adherents in the Highlands, the greatest difficulty being to find them out in their lurking holes: He hath divided his Forces into several Parties, the more to streighten them in Provisions, and easier to rencounter them, each of these Parties being stronger than all Dundee's whole Force.

June 1. The Privy-Council here is busied in preserving the Peace of the Countrey, and in disappointing the Machinations of their Enemies. The Lord Tarbet, the late Lord Register, is seized, and in Custody; my Lord Levat<sup>2</sup> is also in Prison; and my Lord Dunmore is in Prison too, with several Ladies of Quality; and it's believed that many others will be seized, upon some considerable Discoveries they have made of some Plot, or Design, which the Council hath prevented by this happy Discovery. While the Privy Council was prying into the Secrets of the dark Designs of some ill Men, and could not make a full Discovery, then very seasonably, this morning early,

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<sup>1</sup> Gigha.

<sup>2</sup> Lovat.



fifteen Men and two Women came out of the Castle, the Men having their Musquets ready cock'd, well charg'd with a Brace of Bullets: They were all taken by the Guards that block up the Castle, (except a Woman that escaped through the North-Logh) and brought to the Duke of Hamilton, who found a great Pacquet of Letters about one of the Women, with many Keys, and particularly the Keys of the Outer-gate of the Castle, and the Key of the Postern-gate of the Castle. The other Woman that escaped through the North Logh is also taken with a great many more Letters, as she approached Leeth, in order to her escape to the North. The Council is sitting all this day upon this occasion: All is kept close, only these Letters make strange Discoveries; and it's believed that this happy Discovery will lay open the Root and Spring of all those mischievous Designs which have been hatched so closely, to the Ruin and Disquiet of this Countrey, and the Destruction of the Protestant Religion, and to bring in Popery and Slavery, in the room of Liberty and the true Reformed Religion. The particulars of this great Discovery will appear in few days, when once the Confederates are made to answer their Deservings.

The Castle holds out still, though they are grown very sparing of their Powder and Bullets, seldom firing on the Besiegers, though there is constant firing against them. The throwing of the Bombs into the Castle is so ordered, to keep the Garison in motion, and without sleep, and to destroy the Houses and other Buildings where the Garison lodges, and where the Store and Magazines are kept. The Prisoners that were taken this day declare, That the Garison is in great want of Provisions, and that they fear that their Water will fail them by constant shooting. They say further, That there is great Discontents and Repining amongst the Soldiery in the Garison; so they believe that it will turn to an open Mutiny, if they get not Relief.

We have many Letters from several credible hands, That London-derry, Eniskilling, and Bellishannan, have nobly defeated the French-Irish Forces in several Rencounters;

and that about Ten Thousand of them have been destroy'd by the Protestant Swords in these three places ; which wonderful Success hath seized them with such a terror and pannick fear, that the very approach of their Enemy makes them tremble ; the very Name of Collonel Walker is dreadful to them : They curse him, (tho a Gallant Soldier) for a Heretick ; while he prays for them, and chastises them for their Idolatry, Rebellion, and other Wickednesses.

All the Letters from Ireland declare, That if once a Force was arrived from England, the Protestants there would be in a condition to make a considerable Body to join them, to subdue their cruel Task-masters that have used them so barbarously.

#### Number 28.

From Saturday June 8. to Tuesday June 11.

Edinburgh, June 4. 1689.

Our last Letters from the North, bring advice, That General Mackay, and Viscount Dundee, were within four Miles of one another, with both their Forces ; and we do expect hourly to hear of some Action, if the Viscount do not retire or disperse, as is his custom.

The Deserters that came out of the Castle, mentioned in my last, having had the command of the outer or lower Guard, discovered a Woman, who came out that Night, as she usually did, to buy fresh Provisions, and carry Intelligence ; the Woman being apprehended, and searched narrowly, they found a Pacquet of Letters about her, directed to Sir James Grant, Advocate (now in the Goal) which makes great discoveries.

They have likewise Discover'd the design of a Grand-child of the late Bishop of Galloway,<sup>1</sup> who Lodged in the

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<sup>1</sup> Doctor John Gordon.

uppermost House upon the Castlehill, (next to the Castle) and did use to write in large or capital Letters, any News in a Table or Board, over her Window, whereby the Duke might read it through his Telescope. When any thing of good News, she hung out a white Cloth; and when bad, a black Cloth; she and her Mother are seized, and imprisoned in the Common Goal of the Town.

The deserters add, That at first they had 300 Barrels of Powder, of which they have but 80 now left, and that they have in the Garison 120 Men, and 18 Women, and Provision for a Month or two, only their Drink and Malt will fail them in three week time, and that they had wanted Water ere this, had it not been for the extraordinary Snow that fell here lately; and that the Duke of Gourdon is forced for his own safety, to retire and lodge in the strongest Vaults, the Bombs making their way through the principal Houses into the Cellars, where great part of their Beer, Wine, Bread, Meal and Malt, were spoiled by them.

Upon the seasonable and happy Discovery by the Deserters and the Letters, some of the Persons that were seized before, are made close Prisoners in the Tolbooth, or Common Goal, and are allowed neither Pen, Ink, or Paper.

When Collonel Ramsey was Commanded to joyn Major General Mackay, he marched through Athol's Country, having only 600 old Soldiers with him; in his March he discovered a great Body of Men upon the top of a Hill, upon which he made a Halt, and sent to know who they were, and for whom, and who Commanded them; and discovering that they were Athol's men; he approached them, and perceived that they were about 1000 Men well posted on advantageous Ground; he sent to speak with the Commander Stewart of Bellaghan<sup>1</sup>; who return'd, That he would wait upon him by and by; but Collonel Ramsey observing one in Dundee's Livery with Bellaghan; when they met, he enquired for whom they were, and the reason why in Arms? Bellaghan answered, That they were Athol's men; and in Arms only to defend their own

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<sup>1</sup> Alexander Stewart of Ballechin.

Country from Violence in this loose time, both Dundee and Major General Mackay's Forces being so near; then Collonel Ramsey enquired whose Footman that was, whom he observed in Dundee's Livery? Bellaghan replied, That he was Dundee's Footman; whereupon the Collonel demanded the Footman, as belonging to a Traytor; but Bellaghan refused to deliver him, saying, That the Footman was his Prisoner already, being seized before by him; then the Collonel charged Bellaghan, to be answerable for the Footman; so seeing Bellaghan's Men numerous, and on advantageous Ground, he left them, and went forward on his way, six Miles further; where being advertised, That Dundee and his Forces were approaching, lest he might be set upon by Bellaghan's men behind him, and Dundee's men before him; the Collonel thought it most advisable to go to St. Johnston, until Major General Mackay should joyn him, and so fight them both.

Several Letters add, That after Collonel Ramsey had pass'd Bellaghan and his Party, some of the Collonel's Men falling behind their Party as Straglers, Dundee's Men overtook them, and basely killed several of them.

They further add, That upon the 1st instant, when every one was inquisitive what the aforesaid Deserters had discovered to the Council; that about three of the Clock in the afternoon three several persons came walking quietly to the side of the North-logh at the foot of the Castle, and went through all the Mud to the very Rock; and tho the Soldiers that block up the Castle fired briskly at them all the way, yet one of them, being a Genteel-like Man in black Cloaths, drew his Sword, and scrap'd off the Dirt which stuck to his Shoes and so calmly and unconcernedly walked up to the Castle-gate, into which they all safely entered, to the admiration of all men, there having been some hundreds of Shot fired at them in their passage to the Castle.

The late seasonable Discovery is of great importance; for now the Council know the true State of the Garison, and of the Castle it self; and they also know the Conspirators that designed to overturn the Government and the

Methods and Instruments they made use of to effect it ; so that it is easie to prevent their Designs, since discovered, tho it was hard to penetrate their Intrigues at first. There is much talk as if many belonging to the Law are concerned in this Discovery, and some of the Ministers that refused to pray for the King and Queen.

We have just now an Express, bearing, That Dundee and his Party, being about 3000 Men, Horse and Foot, grew barbarously cruel to all those that refused to joyn with him, executing some of the Dependants of those Persons of Quality that were with Major General Mackay, tho the poor Creatures were Innocent, and lived quietly in the Country ; their only Crime being, that they belonged to the Laird of Grant, or the Laird of Maquantosh,<sup>1</sup> or other such Persons of Quality, their Landlords ; and when Dundee could not reach their Men, he caused his Men to ravish the Women that belonged to such Persons ; and when he missed both the Men and Women, then he caused their Houses to be burnt, and all they had to be miserably destroyed ; thus imitating the Turkish, French, and Irish Cruelty.

We have also the joyful News, That Major General Mackay, with 8000 Horse and Foot, approached Dundee's Quarters, there being only a mile distance between them : Major General Mackay sent a Trumpeter to Dundee, to let him know, that he was ready to fight him when he pleased ; to which Dundee answered, That he would fight him the next morning early ; where upon Major General Mackay prepared all things for the Battel ; but Dundee appeared not at the time appointed, having in the night-time retired to a neighbour Wood among Mosses and Rocks, almost inaccessible to single Men, much less to such a considerable Army as is necessary to follow him. We have also this further Account, That Collonel Ramsey, with 1400 Men, and Atholl's Men, were both joined together, and in one Body had come up to Major General Mackay's Camp ; whereupon they had divided their Quarters, and so surrounded the Wood, that the Enemy cannot escape out

<sup>1</sup> Lauchlan Mackintosh of Mackintosh.

of their Hands, if they attempt to leave the Wood ; and if they stay in it, the want of all sorts of Provisions will force them to a speedy Surrender : so that very few days will put an end to that Flame that endangered the whole Kingdom.

We have likewise Account, That about Fifty Persons of Quality were taken by an English Frigate, as they were passing over the Sea to serve the late King James in Ireland ; they are to be brought hither Prisoners, all their Letters and other Papers being taken with them, which will unfold the Mystery that hath been so long hid and carried on in the dark ; and it's not doubted but many of them will confess the whole truth, that the guilty may be convicted, and punished according to their demerits.

This great Success here at home is accompanied with the joyful confirmation of the great Victories the Protestants of Londonderry, Eniskillin and Bellishannan have obtain'd against the French-Irish Forces ; and that the Irish themselves disgust the French Tyranny, insomuch that several Governours in considerable Towns have declared, That they will keep these Towns for King James, but will not permit the French to approach them, much less to enter them ; and particularly the Earl of Tyrone, Governour of Waterford, hath turned out the French, and will not permit any of them to come near it ; whereupon the French Ambassador demands from the late King James, That he may give up the Earl to Justice (as he calls it) to be punished as a Traytor, (he means to his Master the French King.) These Letters add, That General Macarty and several other Officers of the Irish, have had frequent Duels with the French : This animosity is come to such a height, that it's expected that all King James his little Authority cannot hinder it from an open Rupture ; the French blaming the Irish, and the Irish blaming the French, for their losses before Londonderry, Eniskillin, and Bellishannan ; the French demanding all the Protestants in their Power might be destroyed, lest they rise and joyn the English Forces ; the Irish desire that they may be preserved, lest otherwise they be extirpated by the English ;

saying, no sort of Quarter can be expected, if once they inhumanly massacre the Protestants that have submitted to them. But the most tender Points in contest betwixt the French and Irish are these : Some of the most zealous of the Irish upbraid the French as Hereticks or Apostates, for rebelling against the Holy See, the Infallibr Successor of Saint Peter : and that the French design to subdue and enslave the Irish to the intollerable Tyranny of France, and so force them to oppose St. Peter's Successor. This discontent between the Irish and French preserves the Protestants as yet.

The Meal and other Provisions that this Kingdom hath sent to Londonderry, it's believed, are arrived safe there.

A Fleet of Ships hath been seen in our Western Seas sailing towards Londonderry, and it's believ'd to be a Relief from England.

Number 29.

A

CONTINUATION of the PROCEEDINGS  
OF THE  
Convention of Estates  
IN  
SCOTLAND.

From Tuesday June 11. to Saturday June 15.

In the Meeting of the Estates, June 5. 1689.

At the calling of the Rolls, the Earl of Sutherland protested for his precedence, against all the Earls who were called before him.

After calling the Rolls, the Duke of Hamilton intimated to the Estates a Commission sent to him for representing the King's Majesty in the first Session of the ensuing Parliament, and spake shortly to the effect following: 'That His Majesty had been pleased to send him a Commission to represent His Royal Person in the first Session; which he acknowledged was an Honour far above what he deserved, especially at this time, when the Importance and Condition of His Majesty's Affairs in this Kingdom required the greatest Trust from His Majesty, and the greatest Faithfulness and Abilities in his Commissioner: which were otherwise necessair in so high a station: And that albeit the short Advertisement he had anent



‘ His Majesty’s pleasure therein, might give him some  
‘ difficulty in discharging the several Duties incumbent on  
‘ a person in that high Character ; yet such was the zeal  
‘ he had for His Majesty’s Service, and the Good of his  
‘ COUNTRY, that he resolved to give all ready and chearful  
‘ Obedience to His Majesty’s Commands, and to omit  
‘ nothing in his power which might advance His Majesty’s  
‘ Honour and Interest, or contribute to the Peace and  
‘ Security of the Nation. That he had received Instructions  
‘ to give his consent to An Act for turning the Meeting of  
‘ the Estates into a Parliament ; and then to adjourn the  
‘ Parliament to the 17th of June instant ; and thereafter  
‘ to consent to the enacting of such Laws as may not only  
‘ redress the particular Articles of the Grievances, but to  
‘ any other Acts which they should advise for securing the  
‘ Religion, Peace, and Happiness of the Kingdom.

His Majesty’s Commission was then read, with the Letter sent by His Majesty to the Estates.

The Commissioner having thereafter intimated to the Estates the King’s pleasure, That the Earl of Crawford should preside in the ensuing Session of his first Parliament ; The Earl came from the Lords Bench to the President’s Seat before the Throne, and made a Speech to the Estates.

The President moving, That the Act for turning the Meeting of the Estates into a Parliament, should be drawn, the Commissioner named the Earl of Lothain, the Viscount of Tarbat, the Laird of Ormistown, Sir Patrick Hume of Polwart and Mr. William Hamilton, and David Spence, as a Committee for drawing the Act ; who having removed into the Inner House, after a little time brought it into the House ; and being Read and Argued, it was voted and approven, in the terms following, viz.

*(The text of the Act is given in A.P.S. ix. 98.)*

The Act being then touched with the Scepter, the President, by Command of the High Commissioner, adjourned the Parliament to the 17th of June instant, at Ten a Clock.

The Names of the Privy-Council in Scotland.

P. George of Denmark.

Duke of Hamilton.

Marquess of Dowglass, Marquess of Athol.

Earl of Drumlairig, E. of Argyle, E. of Crawford, E. of Arrol, E. of Marshal, E. of Sutherland, E. of Glencairne, E. of Eglington, E. of Cassils, E. of Louthain, E. of Annandaile, E. of Twedale, E. of Leven, E. of Dundonald, E. of Kintore.

Lord Yeasters, Lord Melvil, Lord Ross, Lord Cardross, Lord Carmichael, Lord Ruthuen.

The Master of Forbes, The Master of Melvil.

Sir James Dalrymple of Staire, Sir John Dalrymple, Sir John Melland,<sup>1</sup> Sir H. Campbel of Kaddal.

Skelmorly, Polwort, Laird of Grant.

Edinburgh, June 6.

Yesterday his Grace the Duke of Hamilton went to the Parliament House in great State, his Son the Lord Hamilton carried the Purse before him, with all the usual Solemnities on such an extraordinary occasion, where his Grace ascended the Throne, and made an excellent Speech. Then the Earl of Crawford was called up from the Lords, and according to His Majesties Order, was chosen President, *Nemine contradicente*.

Then the King's Commission was read, and they proceeded to pass an Act to make the Convention a Parliament, and to prevent all Doubts or Objections against the Validity of the Parliament; whereupon a Committee was named to draw up the Act, of which the Viscount of Tarbat was one: The said Viscount said, That they could not pass this Act legally, without the Bishops Votes therein. The Duke replied, That they could do it without him and them either, since the Convention had excluded them as a Grievance.

The Batteries continue to play still upon the Castle, and a great Battery is ordered to be raised above the Weighhouse, as high as the top of the Houses in the Street.

<sup>1</sup> Maitland.

We have no Account of any Action between Major General Mackay and Dundee, only that the Major General's Forces are greatly increased, new Troops coming in to him from all Parts, while Dundee's Forces are decreasing every Night, as they find opportunity to run away. The Major General hath so exactly and strongly guarded all the Passages, that Dundee is perfectly blocked up, and cannot subsist long for want of all sort of Provisions; Dundee's Forces now not being 1200 Men, the Major General's design is to force them to Surrender without the effusion of Blood.

We have an Account from Derry, by a Vessel which carried Provisions and Ammunition thither from this Countrey, intimating, That Londonderry is in a very good condition; and that there is no Enemy near that Town: And that this Ship met Major General Kirk, with a Fleet of about Twenty English Ships intending for Londonderry, but the Wind then not favouring him; but since, the Wind turning fair for him, they doubt not but he is safely arrived there, to the great comfort of those brave People. They also confirm the differences and debates betwixt the Irish and the French, which are so hot and considerable, that it hindered the late King from sending relief to the Army before that Town; and that the same differences are amongst the Irish Clergy themselves; one party being for the Pope, the other for the French interest. They farther add, That the Prisoners in London derry declare, That the Late King's Army dreads the Landing of the English Forces.

We have just now received a Letter from Collonel Walker and Collonel Baker, the two famous Governours of Londonderry, whereby they pray speedy relief, for the preservation of the Protestants in Ulster. They also declare, That they have Seventy French and Irish Officers Prisoners in the Town, besides a great many of the common Soldiers; and that they are resolved to hold out the Town to the last extremity, expecting a considerable Force from England within a little time; and that they had killed a great number of the Besiegers.

The Earl of Annandaile hath taken Collonel Rantree<sup>1</sup> (a Roman Catholick) as he was going to the Viscount of Dundee.

All good Men here, are greatly rejoiced at the turning the Convention into a Parliament, this being the only speedy way to perfect our Settlement; And there is ground to hope that the Duke of Gourdon will speedily Surrender upon easy Terms, to prevent those fatal Mischiefs which the Parliament will reduce him to, if he continue to hold out.

We do not hear of any Persons of Quality that endeavour now to joyn or relieve Dundee.

We are informed, That the Bishop of Galloway is certainly at Dublin with the late King James.

Several suspected Persons are seized in divers Parts of this Kingdom, and great diligence is used to search all such Persons, and to discover their Designs.

All the Highland Clans (except those which joyn Dundee) have given Security for their peaceable Demeanour under Their Majesties Auspicious Government.

We expect the arrival of the Arms, which the Estates sent for, and bought in Holland.

There came some Letters from the West Country, which say, That an English Frigat that cruises on these Seas, hath taken a Ship with 1800 stand of Arms, as they were coming to this Kingdom from Ireland.

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<sup>1</sup> Lt.-Colonel George Rattray?

Number 30.

A

CONTINUATION  
OF THE  
PROCEEDINGS  
IN  
SCOTLAND.

From Saturday June 15. to Tuesday June 18.

Edinburgh, June 11. 1689.

Our Letters from the North, give an Account, That before Collonel Ramsey joyned Major General Mackay's Forces, there was a Conspiracy amongst some Officers of Collonel Ramsey's Detachment, to have cut off Collonel Ramsey and his Party, and so joyn the Viscount of Dundee, and his Party; that by united Forces, they might have fallen suddenly on Major General Mackay's Army; while this was hatching, a Page or Footman was intercepted by some of Major General Mackay's Men, and the whole Plot discovered by Letters that the Page or Footman had about him when he was taken; whereupon the Conspirators are all seized and imprisoned;

Upon Wednesday last, Major General Mackay approached Dundee's Quarters, to attack him in his own Ground, tho it was very advantageous to him, but so soon as Dundee's Scouts discovered the Major General's, Dundee

and all his Party took the Alarm, and immediately in great haste, marched away further North, leaving his Baggage, several of his own Servants, and a great Party of his Men, which were all taken by some of the Major General's Men, while the whole Army was following Dundee and his Party, which were not above 900 or 1000 Men at most. So that we expect a speedy Account that they have yielded to the Major General, or that they are totally Vanquish'd by him.

They add further, That Major General Mackay had caused execute some Prisoners who were the chief Actors of those Mischiefs they brought, or design'd to have brought upon this Kingdom.

In this Town, one Captain Hay, and a Woman, are Sentenced to Death, for keeping a constant Correspondence with the Duke of Gourdon during this Siege, and furnishing him often with fresh Provisions, and conveying several Spies, or Intelligencers, in and out of the Castle.

June 14. The Duke of Gourdon being straitned on every side, and having no hopes of Relief; distrusting the Soldiers of the Garison, and seeing the Trenches of the Besiegers advance so very near to the Wall of the Castle; dreading the Mines that the Besiegers had sunk under the Works; yesterday beat a Parley, and hung out a white Flag, desiring to Treat; but the Commanding-Officer told him, That he would not hearken to any Parley, except it were to Surrender the Castle, because he had so often deluded them with so many frivolous ones to no purpose. At last the Duke declared, That he would Surrender the Castle upon reasonable and honourable Terms; but desired to know whether he should Treat with the Commanding-Officer, or with his Grace the Lord Commissioner. This being settled, the Duke of Gourdon insisted to have an honourable Capitulation, which was absolutely refused; only, That he should Surrender upon Discretion, to be disposed of as His Majesty thinks fit; which the Duke accepted of, without any other Terms; and accordingly, the Duke of Gourdon and the whole Garison submitted, and laid down their Arms, and opened the Gates to receive

Lieutenant Collonel Mackay (Nephew to the Major General) and 200 Men, to take Possession of the Castle ; the Duke of Gourdon, and the whole Garison being Prisoners of War, to be disposed of as His Majesty pleases.

This happy Success, we hope, will be followed speedily with the like on Dundee and his Party. The Duke of Gourdon and the Viscount of Dundee having been the two chief persons that caused and carried on all those Troubles and Mischiefs that have happened in this Country.

Tho it hath been very dreadful to us in this Town, to lie at the mercy of the Cannon of the Castle during this Siege ; we must confess, that Gourdon hath not done us so much mischief as he might have done, if he had pleased. But Dundee and his party have done and committed such barbarous and inhumane Actions, that no History can shew the like ; for which, in all probability, he must give a just satisfaction ; the Cries of the Widows and Orphans pleading for Vengeance against him and his bloody Crew.

The Privy-Council here have received a Letter from His Majesty, ordering some of the Forces in this Kingdom to march to the West-Country next to Ireland ; which accordingly will be done, and the whole Forces will go that way, if once Dundee and his Party were reduc'd to Obedience.

When my Lord Murray (the Marquess of Athol's Son) came to the Athol-men, some of them joined Major-General Mackay's Forces, others went home to their respective Abodes ; not one of them going to Dundee, or his Party.

We have no further Account from Ireland, saving that several Letters from Kintyre (which lies opposite to Londonderry) specifie, That an English Fleet passed lately towards Londonderry ; and that several persons that have made their escape out of Ireland, say, That Country is in a miserable condition ; and that they believe that the Protestants and Papists there will want Bread within a little time, all people expecting a Famine there.

The Parliament here being adjourned to the 17th instant, we must wait till then for an Account of their

Proceedings. When once they meet again, we hope they will so effectually settle this Kingdom, that no such persons as the Duke of Gourdon and Dundee shall be able to shake or endanger the publick Peace and Happiness of this Country; it being no small Advantage, that by these Disorders we know some of our Enemies, who, no doubt, will be rendred incapable to act their Tragedies a second time.

By Letters from Dublin we are assured, That the late King designed to have encamped all his Forces in three several Camps, to oppose the landing of the Armies from England: But the French King's Ambassador so peremptorily opposed it, that the pretended Privy-Council over-ruled that point; urging, That the Strength and Flower of the Army should be sent to attack Londonderry, Eniskillin, and Bellishannan, to make an utter riddance of those Hereticks.

We expect a full appearance at the meeting of the Parliament, and hourly attend the arrival of our Commissioners from Court.

The Genius of our People is such, that those of the Clergy who refused to pray for our King and Queen, are despised by all, none being esteemed worse, save the Earl of Pearth's new Converts.

#### Number 31.

From Tuesday June 18. to Saturday June 22.

Edinburgh, June 15. 1689.

My last gave you an account of the Conspiracy that was discovered amongst some of Major General Mackay's Forces, which is now confirmed; Lieutenant Collonel Levingstone, and several other Officers being in Custody upon that account. And the Major General hath writ to the Privy Council, to know their Lordships pleasure in what manner he shall dispose of them, until they be proceeded against in order to their conviction and punish-



ment ; it being evident, that the intelligence they gave to Dundee from time to time of Major General Mackay's motions and designs, was the only thing that preserved Dundee and his Party, from being long ago overcome and subdued, by the Major General and his Forces. Dundee being thus still forewarned, fled from one Hill to another, from one Wood to another, to the great fatigue and astonishment of the Major General ; who, not knowing how to discover the mystery of this affair, at last used this stratagem : He went towards the South Countrey, leaving Dundee in the Northern parts behind him, as if he shunned to fight him, while he carefully watched and guarded all passes or ways from his own Army to Dundee's Quarters, that so he might intercept any persons that went to, or came from Dundee, to carry Intelligence to either Party : This contrivance succeeded happily ; for he took the Footman, or Page with the Letters, that discovered all this Intrigue. Upon this discovery, the Major General having seized the Conspirators, returned back suddenly, and successfully surprized Dundee's Forces, and defeated them, many being killed on the spot, and the rest of the Foot dispersed themselves : Dundee and some of his Troop fled to the Hills, as it's believed, towards Loghwater for shelter ; the Major General's Forces following him closely, and it's hoped will soon overtake and overcome them. Thus the Major General by his wise conduct discovered not only this Conspiracy, but also necessitated Dundee to forsake those advantageous Posts he had possessed himself of amongst Rocks, Woods and Mosses, inaccessible to any body of Men ; from which the Major General could never have forced him, without much blood and hazard. This happy success greatly settles this Kingdom, and redounds to the honour of the Major General, who so wisely managed it.

I shall give you a more particular account of the surrender of the Castle of this Town, than was in my last : The Duke of Gourdon having beat a Parley, and hung out a White Flag, after some delay Commissioners were sent up to treat with him, and while they were communing to-

gether in the Castle, the Duke demanding unreasonable terms a Man run suddenly into the Castle (during the Truce) and delivered several Letters to the Duke, as it's supposed from Dundee, or the late King in Ireland; whereupon the Commissioners required that this Man might be delivered to them, since none ought to come in, during the Truce, without their consent; which the Duke refused, saying, That since he had come to him, he would protect him. And so the Treaty broke off. The Treaty being ended, the Garison fired both their great and small Shot all that Night against the Town it self, and every way that they thought to do mischief, several persons being killed, others wounded, and some Houses prejudiced by the Cannon.

The next morning the Duke beat another Parley, and hung out a White Flag, and Commissioners being again sent to treat with him, he agreed to deliver up the Castle upon the Articles already Printed; which was confirmed by the Privy Council, to the great joy and content of all honest men here; but to the trouble and grief of all ill men, who trusted much to this strong place, as being impregnable.

After the Articles were confirmed by the Privy Council, the Garison marched out to the Castle Hill (before the Castle) where they laid down their Arms, and delivered up the Keys of the Castle, where many Thousands of people were rejoicing with loud Acclamations, praying for the preservation and happiness of King William and Queen Mary, being assured to live safely and quietly, and enjoy their Religion, Laws, Liberties and Properties, during their Government. Then 300 Soldiers, under the Command of Lieutenant Collonel Mackay, and Major Somerville, Marched in, and took possession of the Castle, which is strangely disfigured, and ruined during the Siege, the Bombs having done great execution there, in so much, that it will cost a great sum of Money to put it into such a condition as it was in before the Siege. It is said, that there was some difference betwixt the Duke of Gourdon, who was the Governour of the Castle, and Lieutenant Collonel Windram who was the Lieutenant Governour; the Duke inclining to deliver it up, the Lieutenant Gover-

nour to hold it out ; and the Dukes Party in the Garison prevailing, caused the surrender. This Windram, in the hurry, was endeavouring to make his escape, but was discovered and brought back to the Castle, which was his preservation ; for otherwise if the Rabble had met with him, in probability they would have cut him to pieces ; every person looking upon him as the cause of the holding out the Castle, and all the mischiefs that hapned during the Siege.

The Journal of Major General Mackay's March against the Viscount of Dundee. In a Letter from a Gentleman in the Major General's Army, to a Friend.

Dated from Alford, 9 June, 1689.

We shall give you a true Account of all that has passed with us, since we marched to the General, and returned : We went from Putachie, on Sunday night last, to Castle Forbes, where we got an Account, That the Regiment of Dragoons, under the Command of Col. Barclay, consisting of 300, and a Regiment of Foot, betwixt Six and Seven Hundred, under the Command of Sir James Leslie, Col. at Kincardinoneil, were in order to their coming up to the General : As we passed a little further, by an Express from the General we were acquainted, That the Enemy had fallen down ; which obliged him to remove to Balvenie ; this obliged us to alter our March, our Orders having been to march to Balnadallach ; and in order thereto, appointed the Gentry of this Country, to meet us at Mulben ; so that from Artlach <sup>1</sup> we held straight up to Edinglassie, for joining the General at Balveny. The time being short, and they appointed to meet at Mulben, made us not so numerous, as upon longer advertisement we should have been ; they being but betwixt 4 and 5 score Horse, and 8 or 9 score Foot, the rest being all to join us the next day ; yet we came so opportunely with these, that the Engagement being just then expected between the General and Dundee, we were made very welcome ; the Enemy did not then come up that night. The General to secure the Country, and join his Forces, marched on from Divronside <sup>2</sup>

<sup>1</sup> Ardclach.

<sup>2</sup> Deveronside.

to Claitt,<sup>1</sup> which was on Tuesday, where he was joined with Col. Barclay, and Col. Lesly. Immediately after Refreshment, we marched back to Edinglassie, where Dundee was ; but he had no leisure to stay till we should come, but marched away in great haste and confusion ; however there was some of his Straglers taken ; among the rest, Major Mackay and we had the good fortune to take a Servant of one Capt. Bruce's, and some other Troopers and Dragoons, which have discovered a Plot among the Scots Dragoons, of bertaying the General and all with him, the very same Monday Night that we joined with him ; so that had we engaged that night, we had been all undone : Upon the taking of these men, the General caused the Lieutenant Collonel to be secured, who is Brother to the Viscount of Kilsyth, and Captain Levingston, Capt. Murray, Lieut. Murray, and the Capt. Lieutenant, with some other inferior Officers and Dragoons. The Discovery of this Plot was of more importance than killing 500 of these Rascals ; and will trouble Dundee more. We were commanded back with the Gentry and Foot that were with us, to wait on our Country ; the General having by this time Force enough for all that Dundee had or could raise. As we marched from Edinglassie, on Wednesday, about 4 or 5 a Clock he marched from thence after the Enemy. We have got no further Account from the General since, save that he hears many of them are separated, and the Plunderers gone away by themselves. The Cruelty of the Highland men in Robbing and Plundering all wherever they came, sparing neither Friend or Foe, has cooled a great many of those who were well enclined for them ; so that we think Dundee's Reputation by associating himself to these Rascals is at a great loss. They have ruined Edinglassie's House and Land at the greatest rate imaginable ; as also Cairnborrow's,<sup>2</sup> Aswanlie's,<sup>3</sup> and Baldorme's,<sup>4</sup> though a Papist ; and would have ruined all the Duke of Gourdon's Land about Strathbogue, had not the General's Party prevented it, which makes that

<sup>1</sup> Clatt.

<sup>3</sup> George Calder.

<sup>2</sup> John Gordon.

<sup>4</sup> Alexander Gordon of Beldorney.

whole Land so far from designing to assist Dundee, that they offer their ready Concurrence to the General or us : The Places nearest to them, such as Artlach and others of the Duke's Lands, was all ruined as well as the rest. Their number, after the strictest enquiry, did not exceed 2000 men ; and of these Six score Horse ; but the Baggage Horse, and their Plunder did make a great show. They have the Fashion of three Troops, whereof Dundee commands one, Dumfermling one, and Pitcur<sup>1</sup> one ; and Pitcur's does not consist of 20 Horse. Col. Hastings is the Commander of that Regiment that was at Lumphannan, and is just now at Castle Forbes, where we are going to wait upon him ; Col. Ramsey with a considerable Force is gone in the Highland way. The General, besides the Assistance of the Highlanders and others that have joined with him, are above 2000 standing Forces.

After the Date of this, there was an Engagement betwixt the Macclans, a part of Cloverhouse's Company and the Scots and English Dragoons ; of them there were about Six or Seven killed ; and of the Macclans above a Hundred, with the Laird of Ardour<sup>2</sup> their Commander.

Another Letter of the same Date, says thus, I have been through all the Castle, and seen the Desolations of War : It is not credlble what Havock the Bombs have done upon the House, and all the other Buildings. The Temper, or rather Distemper for the late King, is now much abated, The Earl of Hume is brought Prisoner hither this Night.

There is a strong Report here, as if Dundee were taken, and coming hither under a strong Guard.

Some Letters from Kyntire assure us, That Major General Kirk is arrived at Londonderry : The Confirmation of this is hourly expected with much Impatience ; the Preservation of those Brave People, and Town, being of great Importance.

Our Parliament here is to sit upon Monday next, being the 17th instant ; and the next gives an Account of their Proceedings.

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<sup>1</sup> David Halyburton.

<sup>2</sup> Ewen McLean.

Number 32.

A

CONTINUATION of the PROCEEDINGS  
OF THE  
PARLIAMENT  
IN  
SCOTLAND.

From Saturday June 22. to Tuesday June 25.

Edinburgh, June 17. 1689.

The Parliament being met, the Commissioner ordered the Honours to be sent for from the Castle ; which being come, he Knighted Mr. William Hamilton, Advocate, a Member of the Parliament.

At calling the Rolls, the Marquess of Douglas protested to be called first, and have the first Seat and Vote.

The Commissioner told them, He had Instructions from Their Majesties, anent the redressing of the Lords of the Articles, which as formerly constitute, were a Grievance : And that Their Majesties hath Ordered him to condescend to the passing an Aet for chusing Eight out of every Estate, viz. Lords, Barons, and Burgesses ; which with the Officers of State, should prepare things for the Parliament. And that it should always be in the Power of the Parliament to consider even of those things which the Committe should Report, if they should think fit so to do.

An Act drawn thereanent, was Presented by the

Commissioner, to the Earl of Crawford, President of the Parliament, to cause read ; who before he gave it to the Clerks, spoke to this Effect,

That being they were now in another Station than they were formerly, viz. The Supreme Court of the Kingdom, and so happy in a King who prefers the Just Rights and Interests of His People, to His own Prerogative ; and who craved nothing of us, but what was to make us Happy, viz. That we should lay aside all Animosities and Private Differences, and make the Publick Good, the only Motive and End of their Actings ; which things, as they were always necessary, so especially in this Juncture, where we have Religion, the Government of the Church, and the Just Rights of the subject to Establish, and Grievances to Redress ; That Christianity teaches Unity, our King craves, and the present Juncture makes it indispensibly necessary ; and God's Blessing always attends it. That the King had put it fully in our Power, to make such Laws as may secure to us our Religion and Properties ; wherein if we failed, it will be our own fault ; That the eyes of our Enemies are upon us, waiting for our halting ; and that nothing could encourage or strengthen them more, than Animosities and Divisions amongst our selves.

Then the President gave the aforesaid Act to be read. Then it was moved by the Lord Ross, That before they came to consider or Vote any Act, they might all Swear, and Subscribe the Oath of Allegiance, and an Act made for that effect ; which Motion being approven, the Lord Ross gave in a Draught thereof in these Terms, viz.

That the State of Parliament considering that Their Majesties had accepted of the Tender of the Crown of this Realm made to them, and have taken the Oath appointed to be taken by all Kings and Queens of this Kingdom : therefore they, with consent of Their Majesties did Declare, Recognize, and Assert Their Royal Authority, and Right thereunto, and declare it Treason for any Person to say or act any thing contrary to the same.

And Ordered all the Members, Clerks of Parliament, and all other persons that presently are in, or shall happen to

be called hereafter to any place of publick Trust Civil or Military, to Swear and Subscribe the Oath hereto subjoined. And they hereby discharge and annul all former Acts of Parliament, appointing any other Oaths of Allegiance and Supremacy, Declarations, Tests, or other publick Oaths whatsoever, to be taken by them ensuing, so as they appoint the same to be taken, except the Oath *De Fideli administratione*.

The Tenor of the Oath is,

I A. B. solemnly Swear in the presence of God, That I will bear Faith and true Allegiance to King William and Queen Mary : So help me God.

This Act past *Nemine Contradicente*, only the Earl of Kincarden withdrew.

This Act being past, and touched with the Scepter, all the Members present by fives, Swore the Oath with uplifted hands, and the President Administred the same to the Clerks, and all are to subscribe it to morrow.

It was moved by the Earl of Cassells, that all the Clergy should likewise take the Oath ; but this was waved until it was further considered what other Persons, or if all in the Kingdom should take the same ; then they all took the Oath, *De Fideli Administratione*.

Adjourned till to Morrow.

Edinburgh, June 18.

This day, after calling the Rolls, the whole House subscribed the Oath of Allegiance, which they had taken Yesterday ; and such Members who were absent Yesterday, Swore and Signed also. Then they proceeded to read over the Act anent the Redressing the Grievances of the Lords of the Articles, which appointed a constant Committee of eight Persons out of every State, with the Officers of State, to be in place of the Lords of the Articles. The House divided, some being for several Committees, as they should find needful, and not one constant Committee. The Debate on both sides continued long, without coming to any agreement ; upon which the Commissioners adjourned till Friday.



This day the Countess Dowager of Errol was brought in Prisoner, for having kept Correspondence, as it's said, with the late King, and the Viscount of Dundee.

Letters yesterday from General Mackay give account, That most of Dundee's Men have left him, and that he is gone to Loghwarbar, not having above two hundred with him, Horse and Foot ; and that he was still in pursuit of him, and doubted not to give a good account of these Rebels, very shortly.

From several hands we are advertised, that Major General Kirk is safely arrived in London-Derry.

There is a strong Report, That Major General Mackay's Forces have met with, fought and defeated six hundred Macdonalds, that belonged to Dundee, and cut off most of them ; and that Dundee is so very weak with a Flux, that he cannot mount a Horse without the help of two Men.

Several Letters inform us, That a French Frigat is taken with One hundred and twenty French Officers, designed for Dundee with Ammunition and Arms.

### Number 33.

From Tuesday June 25. to Saturday June 29.

In the Parliament, June 21, 1689.

After calling the Rolls, the Earl of Argyle, the Lairds of Levingston, Culloden, and several other Members that came to Town, took the Oath of Allegiance, and the Oath of Parliament, *De fidei administratione*.

Sir John Dalrymple gave in his Commission to be His Majesties Advocate, which was read, and ordered to be Recorded, he having formerly Swore and Signed the Oath of Allegiance, both as a Member of Parliament, and as a Privy-Councillor.

The Earl of Argyle produced the Original Paper containing the Coronation Oath, which was taken and sub-

scribed by their Majesties ; and thereupon it was ordered, That the Commissioners which had waited on their Majesties with the Offer of the Crown, have the Approbation and Thanks of the Parliament, anent the discharging the Commission given them by the Estates and an Act to be drawn to that effect ; and that the Coronation Oath, with the Instrument of Government, be Printed.

A Proclamation requiring all Members of Parliament to attend against the 3d day of July next, under the Pains contained in the Act of the Meeting of the Estates, as well as those imposed by former Acts of Parliament, read, voted and approved.

The Draught of an Act was then offered to the consideration of the Parliament, declaring, That it was the Privilege of the Free-Estates, by the plurality of Votes of the whole Members, to name Committees of such equal Numbers from the several Benches, for the preparing Matters or Motions, or to conclude any matter first brought in, in full Parliament, as they think fit ; and rescinding former Courses, contraire to the said Priviledge. And after much arguing, If the Members of these Committees should be named by the plurality of the respective Benches, or the whole Parliament ? The Debate was delayed, but to be resumed before any determination in the point anent the Officers of State.

It was then considered, If the Acts should exclude Officers of State from these Committees ? And after some Debate, His Majesties Commissioner having recommended to the Members to consider against the next Sitting, if it should be remitted to His Majesty to determine what Officers of State should be Supernumerary in these Committees ; His Grace ordered the President to Adjourn, which was accordingly done, till Tuesday next, at ten of the Clock.

Edinburgh, June 22.

Major-General Mackay's Express mentioned in my last was, That he was ready to return at the Councils Command within few days ; in which time he hoped to break and disperse, the skulking Remainers of Dundee's Adherents.

And this Night his four treacherous Captains, with six or seven more, are come to Town, and committed to Goal.

We have Information, That a considerable Party of the Mackleans, who had not formerly joined Dundee, but were going to him, were engaged by a Party of Major-General Mackay's, in which many of the Highlanders were killed.

As to the Countess Dowager of Arrol's Affair ; it's thus : That a Post or Messenger, going to the Viscount of Stormont's House, in a disguise, as a Beggar, with a Bag upon his Shoulders, with Meal in it, and having passed several Centinels, he was at last apprehended by one, who putting in his hand in the Bag among the Meal, found several Letters, in which there was discovered a Correspondence, and the Sum of 1500 l. Sterling in Gold, in ready Cash, which together with the Lady, is brought to this Town. And there was in the Letters, Orders to distribute the Money to those employed with Dundee ; but now contraire to their Design, it is to be employed for King William's Service.

The Earl of Hume is set at Liberty upon Bail.

The Parliament appears to be very vigorous to prosecute the Publick Interest.

As to the College of Justice mentioned in my last, the Committe of the Council has failed Meeting, by reason of other Affairs, three several Appointments ; and therefore no Progress is made in that Affair.

It's reported, That since the Duke of Gourdon Surrendred the Castle, he hath solemnly declared, That during the time of the Siege, he never received a Line from King James.

The French Privateers are cruising on our Coasts, and we are credibly inform'd, That ten of them being together, an English Frigat of thirty Guns, engaged them all, and hath taken or sunk six of them, the rest fled.

It is also reported, That Cameron of Logheal, who was suspected to have been with Dundee, or of his Party, hath surprized and taken that Lord, and is bringing him to Town ; and that all the Clans in the Highlands have undertaken to bring Dundee living or dead, if he be not already

taken ; He and his Party having so barbarously behaved themselves, and ruined the whole Country where they past.

A good Garison of 1000 Men is put into Inverness, by Major-General Mackay, to secure that Country.

Some Gentlemen of Dundee's Party, sent several Letter's with the late Kings Declaration, to some Persons of Quality in the West, requiring them to be in Arms for the late King, otherwise threatning them with Fire and Sword ; all which Letters were intercepted, and immediately brought to the Council.

All the Forces in this Kingdom are preparing for the Irish Expedition, with great alacrity.

A Vessel with Provisions and other Necessaries for Londonderry, from this Country, sailed lately from Glasgow, under the Convoy of two Frigats, and it's hoped that they have met Major-General Kirk and his Fleet there. Several hundreds of the Irish Gentry that retired to this Country, went aboard those Ships, to help to rescue that desolate Countrey from the Irish-French Cruelty.

All Passengers from Ireland assure us, That Major-Gen. Kirk and his Fleet is at, or in sight of Londonderry : And they declare, That those brave People have not only repulsed the furious Attacques of the Enemy, but also have sallied out, and beat the Besiegers from their very Trenches ; several thousands of the Irish and French being killed on the spot.

#### Number 34.

From Saturday June 29. to Tuesday July 2.

In the Parliament, June 25. 1689.

After calling the Rolls, The Earl of Glencairne, the Viscount of Arbuthnet, the Laird of Hawstown younger,<sup>1</sup> James Moodey, and George Moncreef, Swore, and Subscribed the Oath of Allegiance, and took the Oath of Parliament.

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<sup>1</sup> John Houston.

The Draught of the Act declaring the Privilege anent the choosing Committees, was again presented, and read, with the amendment, That the Members of the Committees should be chosen by the respective Estates, viz. The Noblemen by the Estate of Noblemen; the Barons, by the Estate of Barons; and the Burgesses by the Estate of Burgess: which being agreed to, The Debate was resumed, If the Officers of State should be supernumerary in these Committees? And after much arguing, the Case was at length put to the Vote, and carried in the negative; And a Clause ordered to be subjoined to the Act, declaring, That the Officers of State are not to be Members of the Committees unless they be chosen. In which terms it was again read, voted, and approven.

His Majesties High Commissioner then signified to the Estates. That their Vote not being in the terms of the Instruction which he had from the King, he could not give the Royal assent thereto, until he had acquainted His Majesty.

Adjourned to Ten a Clock to morrow.

#### Act for Regulating the Committees of Parliament.

Forasmuch as the Meeting of the Estates of this Kingdom, did by their Vote of the eleventh of April last, represent amongst other Grievances, That the Committee of Parliament, called the Articles, is a great Grievance to the Nation, and that there ought to be no Committees of Parliament, but such as are freely Chosen by the Estates to prepare Motions and Overtures, that are first made in the House. Therefore Their Majesties with Advice and Consent of the Estates of Parliament, Do Enact and Declare, That it is the undoubted Privilege of the Three Estates of Parliament to Nominate and Appoint Committees of Parliament, of what number of Members they please, being equal of every Estate, and Chosen by the respective Estates, viz. The Noblemen by the Estate of Noblemen; the Barons, by the Estate of Barons; and the Burroughs, by the Estate of Burroughs, for preparing Motions and Overtures that are first made in the

House ; or that the House may Treat, Vote, and conclude upon Matters brought in, in plain Parliament, without remitting them to any Committee if they think fit ; or that the House may appoint particular Committees for any Motions and Overtures that need to be prepared or digested for them ; Declaring hereby, That no Officers of State are to be Members of any Committee, unless they be Chosen ; and hereby rescinds the first Act of the third Session of the first Parliament of Charles the II. And all other Laws or Customs establishing the manner of Election and Power of any Committees of Parliament, in so far, as they are not conform to this Act.

June 26. After calling the Rolls, The Laird of Dun <sup>1</sup> Swore and subscribed the Oath of Allegiance, and took the Oath of Parliament.

The Reasons for the Vote, regulating the Committees, and redressing the Grievance relating to the Lords of the Articles, were given in, and read, and a debate arising thereupon, a Period subjoyned to the last of the Reasons, was ordered to be expunged : And the Vote stated, If these Reasons should be sent to His Majesty, together with the former Vote, Yea, or Not ? and carried in the Affirmative.

The draught of a Letter to be sent to his Majesty, together with these Reasons likewise, given in, and read ; and after some Amendments, was voted and approvén.

The draught of an Act then given in and read, That no persons, who being employed in the late Government, and were grievous to the Nation, or have shewn disaffection to this Happy Change, or have been retarders or obstructers of the good designs of the late Meeting of the Estates, be allowed to possess, or admitted to any publick trust, place, or employment, of whatever kind, under Their Majesties, within this Kingdom : But the further consideration of the Act was defer'd.

A Petition by the Heretors of the Shires of Roxburgh and Selkirk read, with some Proposals for Raising and Arming the Fencible Men in these Shires. The Matter was remitted to the consideration of the Privy-Council.

<sup>1</sup> David Erskine.

Recommended to His Majesties High Commissioner, That his Grace would be pleased to transmit the Reasons given in for the Vote of Parliament for redressing the Grievances relating to the Lords of the Articles, together with the Letter from the Parliament, anent that matter, to His Majesty.

A Petition by the Brewers and Vintners in the Town of Dundee, read, and ordered to be seen and answered by the Commissioner from Dundee, or any other having interest.

A Petition by some Merchants in Edinburgh, read, and reported.

Adjourned till Friday next at Ten a Clock.

Our last Letters of the 22d instant from the North, inform us, That Dundee is in a miserabl condition, both as to his Health and his Party; the great and constant Fatigues, with many other Hardships and Inconveniencies he hath gone through in his unsuccessful Rebellious Campaign, hath reduced his Body to a low and wretched state, while at the same time the remainders of his beaten Party forsake him in his distress, to shift for themselves the best way they can; and, which is worse, he cannot trust those few that stay with him, being jealous that they will deliver him up, to make their own Peace with His Majesty's Forces, who follow closely after him, to hunt him out of his many lurking holes.

The Duke of Gourdon is very much indisposed in his health; and it's reported that he has an inclination to turn Protestant.

The Laird of Blaire, and the other Prisoners Dundee took at St. Johnston, are kept close Prisoners in one of the Castles of the Isle of Mull, which belongs to the chief of the Macklans.

Lieutenant Collonel Levingston and the other Comspirators are not as yet brought to their Trials, tho they will be speedily; all things being ready so soon as the other great Affairs can permit.

There are no Proceedings against the Countess of Arrol since she was seized and brought to this Town.

There is a Report here, That Dundee hath exprest himself, That he would throw himself at His Majesty's Feet to implore Mercy; and it's certain that two Gentlemen that left Dundee lately, are taken, and suddenly will be brought to this City.

The Proclamation requiring all the Members of the Parliament to be present on the 3d of July, is so strict, that it is believed there will then be a full House, in order to the final settling the Affairs of this Kingdom.

We are assured by many Letters from Dublin, That the jealousies and heats betwixt the French and Irish are grown to a very great height; and that the late King's Army is not so numerous as it was believed; many of them deserting that Service, declaring, That since Londonderry could make such slaughter among them; how much more will the Army from England destroy them? The same Letters confirm the great havock made by the Besieged in Londonderry last in their Sally.

Other Letters from Ulster, which are confirmed by some Passengers that came over this week, declare, That Major-General Kirk hath a great Fleet of Men of War and other Ships very near Londonderry, which it's hoped hath overcome all difficulties that are laid in their way to hinder their entrance to the Town; which could not be attempted until the last Spring-Tides, the Success whereof is not as yet known, tho much long'd for by all true Protestants.

Major-General Mackay, after his return from the North, will in a few days march to the West Coasts, whither all the Forces under his Comand are marching. Many Ships and other Vessels are already prepared to transport the Forces to Ireland; there being a great number of Ships and other Vessels, now in our Harbour, which came from Ireland to save them from the Irish, and are to be made use of in the Transportation of the Forces that are intended to go from this Kingdom to reduce That.

This day a Prisoner was brought in, who had formerly served in the Earl of Dunbarton's Regiment, and lately been a Lieutenant under Viscount Dundee, being taken at his House in Fife. He confirms the Informations that we



received before, about the Conspiracy of the Officers of the Scotch Dragoons, whose design it was to have betrayed Major-General Mackay; and says, That if Dundee can get well recovered, both in his Health and Affairs, he will endeavour to get into Argyleshire, where he hopes some more of the Macdonalds and the Mackleans will joyn him. But to prevent any design of that nature, the Earl of Argyle has offered to go in person into that Shire, to oppose and suppress all those who shall endeavour to assist or joyn Dundee; and is preparing for that Expedition, having his own Regiment, the Earl of Glencairn's Regiment, and a Detachment of Scotch Dragoons to March with him, to joyn 500 more of his own Men now in Arms in Argyleshire for his Majesties Service; when at the same time Major General Mackay will attacque him in his March from the North, and so put an end to that Rebellion.

The Guards in this Town have this night taken the Main-Guard as their Post, and so are to continue.

#### Number 35.

From Tuesday July 2. to Saturday July 6.

In the Parliament, June 28. 1689.

After calling the Rolls, it was moved, That the Draught of the Act given in the preceding day, anent the persons not to be employed in Publick Trusts, might be further considered by the Parliament: And His Majesty's Commissioner having moved, That according to his Instructions, wherewith he had acquainted the House the day before, next to the constituting the Parliament, and regulating the Articles, they should consider of the Government of the Church. The Debate was, Which should take place first, the Settlement of the Church Government, or the Motion made to proceed upon the Draught of the Act for incapacitating persons grievous to the Nation? And it was urged in the House, That what was first moved, should come first under Consideration, and be determined, before

they enter upon any new Matter, as being most suitable to the methods and manner of proceeding in Parliament; and therefore the Act for incapacitating of persons, being moved on the Tuesday before, it ought to take place before any other new Matter. To this it was answered, That in all, or most Parliaments of this Kingdom, it has always been the Custom, That the settling of the Church and Religion, was first entred upon, and considered of, preferrably to any other Matter. This Debate held a long time, and then it was put to the Vote, Whether of the two above-named Motions, viz. the First or the Second, should come first under consideration? And it was carried in the Affirmative, by the plurality of Votes, That what was first moved should be first determin'd, before any new Matter or Overture should be heard. But before it came to a Vote, the Laird of Tarwhin<sup>1</sup> was sworn, and subscribed the Oath of Allegiance, and took the Oath of Parliament; whereupon he took his place in Parliament.

The Draught of the Act was again read, with the Letter from the Committee of the Estates to His Majesty of the 11th of May last, and that from the Meeting of the Estates to His Majesty of the 24th of the same month, containing the Approbation of the Letter from the Committee; to which two Letters the Narrative of the Act relates. And the first part of the Act about incapacitating persons grievous to the Nation, being spoken to and considered, it was agreed, That by these words were understood, such persons who in the late Government had been an accession to the Encroachments made upon the particulars contained in the Petition of Right. Two Points of the Act, viz. In persons who had shewn disaffection, and those who had been Obstructers and Retarders of the good Designs of the Estates, were thereafter argued on at large: But before determined as to either Point, the President, by Warrant from His Majesty's Commissioner, adjourned till Tuesday next.

The Parliament hath transmitted a Letter to His

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<sup>1</sup> Lord Torphichen.

Majesty, touching what has been their Opinion about the Lords of the Articles, and why they dissented from His Majesty, and humbly desire the King to consider the same, and declare his Royal Pleasure therein.

This was a Subject of great debate in the House on Tuesday before ; It was urged by those who were of opinion, That the Officers of State should be supernumerary in Committees, from the Antiquity of the Custom of their being of them, as would be made appear from Records ; and that to exclude them, was to invert the ancient Constitution ; and that, the King having a Concern in all things that could be treated there, either in relation to his own Prerogative, or the Good of his People, it was very fitting the Officers of State should be present at them ; and that tho the King and People had no opposite Interest, yet it might happen that they could have separate Interest, as have the nearest Relations, even Man and Wife ; and therefore His Majesty ought to be allowed to have his Officers present, to give him advice as to the matters treated there, that thereby things might be so adjusted and prepared, as that before they come to be debated in full House, the King may be brought under no necessity of interposing his Negative, in case the matter do not please him.

To this it was answered, by those of the other Opinion, That the Argument drawn from Records, was of no weight, in regard the same Records make appear, That there was a constant Committee, call'd The Articles, which notwithstanding the Estates had found to be a Grievance ; and therefore Antiquity could be pretended no more for the One than the Other. That the Simile of Man and Wife was not so proper in this Case, as that of the Head and Body, which could allow of no separate Interests. That the King could receive no prejudice by his Officers not being of the Committees, seeing nothing there could be determined, but what must be brought into full Parliament ; and that the words of the Grievance are express upon the Point, None to be Members, but those who are freely chosen by the Estates. Besides, How could the Committees of

Parliament be freely chosen by the Estates, if others were Members of them who are not chosen by the Estates? And that the Parliament being the King's Great Council, none could be presum'd to interpose betwixt His Majesty and Them, the Committee being as much concern'd in any thing that can be the Interest of King and People, as any Officer of State whatsoever.

June 29. We have no new Account from Ireland, only from all hands it's confirmed, That Londonderry holds out bravely, and that Major-General Kirk is near that Town.

It is thought that Lieutenant-Collonel Levingston will be executed; there being full Evidence against him and his treacherous Conspirators.

We have Advice, That Dundee, and some few with him, are beset and block'd up in some strait Part or Creek, from whence it's thought they can hardly escape: And that many of the most considerable with him have deserted him, some whereof are apprehended, and others of them offer to capitulate with Major-General Mackay, upon Indempnity: those Highlanders having no inclination to hazard their persons, where there is nothing to be got but blows.

The Account we have this night from the North, is, That the Laird of Bellagown<sup>1</sup> in Ross keeps 1000 Men in Arms in defence of the Countrey, and hath 500 more from Major-Gen. Mackay; and hath seized several suspected persons, to be disposed of as the Parliament thinks fit, and it's believed that some Romish Priests are amongst them. That Bellagown having a Commission from the Convention to be Sheriff of Ross till His Majesty's pleasure be known; and having sent a Warrant for a new Election for that County, he hath transmitted the Executions to the Parliament, by which the Laird of Fowls<sup>2</sup> and Sir George Monroe are elected Commissioners, and are on their way to sit in Parliament.

The two persons that were seized and brought to Edin-

<sup>1</sup> Balnagown.

<sup>2</sup> Sir John Munro of Foulis.

burgh, are the Lairds of Kinninmowan<sup>1</sup> and Rosscobeg,<sup>2</sup> who disown His Majesty's Authority.

The Parliament is using means to have the Prisoners that were taken at St. Johnston, to be released.

The Lords of Session being appointed by His Majesty, several of them have accepted, others have taken time to consider of it.

The Lords of the Session.

Lord Staires, Lord President.

Lord Haucars,<sup>3</sup> L. Pitmeden,<sup>4</sup> L. Meysinton,<sup>5</sup> L. Edmiston,<sup>6</sup> L. Wright, L. Philiphaugh,<sup>7</sup> L. Halecraig,<sup>8</sup> L. Da. Hume,<sup>9</sup> L. Armiston.<sup>10</sup>

### Number 36.

From Saturday July 6. to Tuesday July 9.

In the Parliament, July 2. 1689.

After calling of the Rolls, Sir John Monroe, one of the Commissioners of Parliament from the Shire of Ross, Alexander Duff of Braco, and John Carnegie, took the Oaths, Subscribed those of Allegiance, and took the Oath of Parliament.

The Earls of Monteith and Finlatour were excused for their absence, having by their respective Letters to His Majesty's High-Commissioner, represented and declared their willingness and inclination to attend in Parliament, if their Health had been such that they could safely come; for a further confirmation whereof, a Certificate was produced, and read, from the Minister of the Paroch, declaring the Earl of Monteith's sickness and inability to come abroad; which was allow'd of.

<sup>1</sup> Cumine of Kininmonth.

<sup>2</sup> Sir Roger Hog of Harcarse.

<sup>3</sup> Alexander Swinton.

<sup>4</sup> John Wauchope of Edmonstone.

<sup>5</sup> James Murray.

<sup>6</sup> Lord Crossrig.

<sup>7</sup> Lyon of Rescobie?

<sup>8</sup> Sir Alexander Seton.

<sup>9</sup> John Hamilton.

<sup>10</sup> Robert Dundas.

The Draught of the Act concerning persons not to be employ'd in Publick Trust, was presented again, and read, with these following Amendments in the Statutory part of it, viz. That no Persons who have shewn disaffection, &c. by acting in opposition &c. since the proclaiming of Their present Majesties, and who were retarders or obstructers of the designs of the Estates, in securing the Protestant Religion, settling the Crown, establishing the Rights of the Lieges and redressing of Grievances, by acting contrary to these designs, since the time they became publick by Votes and Acts of the Meeting of Estates, be allowed to possess any Office, etc. And after much debate and reasoning up on the import and extent of these words, Grievous to the Nation : It was Ordered,

That the following Clause should be subjoyn'd to them, viz. By acting in the Encroachments mentioned in those Articles of the Claim of Right, which are declared to be contrary to Law.

It was then moved, That a Clause might be added to the Act, declaring it to be But prejudice of any farther punishment to which such persons may be liable ; and it was agreed to, That the Clause should not be added.

The Debate being ended, the Question was stated, and put to the Vote, Approve of the Act, or delay it ? And it was carried in the Affirmative, for Approving of it.

Then the Draught of an Act was given in, for Abolishing of Prelacy, and all Superiority of any Office in the Church above Presbyters, and rescinding all former Statutes establishing Prelacy, and all others contrary to the Act ; Reserving to Their Majesties to settle Presbyterian Government in the way most agreeable to the Peoples Inclinations, and the Word of God ; which being read, His Majesty's Commissioner desired he might see the Act, to consider of it against the next Meeting of the Parliament.

Then a Petition was presented and read, from Two Ministers commissioned and deputed from the Synod of Aberdeen, desiring that a General Assembly, or National Synod of the Clergy might be call'd in the manner to be thought fit by Their Majesties and the Parliament ; and

that previous thereunto, some Ministers of differing Sentiments and Perswasions, in relation to Church-Government, might be appointed to meet and concert Matters in controversie and make overtures and proposals of accommodation, for the Unity and Peace of the Church. One of those Commissioners was one Mr. Gourdon, Minister of Bamry,<sup>1</sup> well known under the *Character of the Reform'd Bishop*, which he writ some years ago, and was brought into much trouble about.

The Consideration of the Act for Abolishing of Prelacy was then resum'd; but before it came to any determination about the form or tenour of an Act, His Majesty's Commissioner moved, That in regard the Four Months Supply already given and imposed by the Estates, could not defray the publick Charge, in maintaining Forces now on foot: Therefore desired the Parliament might consider of a farther supply, and continuation of their maintenance, against the next Meeting: And thereupon the House Adjourn'd till Ten a Clock to Morrow.

July 3. Major General Mackay having certain Information of all the haunts and retreats that the Lord Dundee does usually betake himself to, for shelter and refuge, hath not only sent for more Forces, Ammunition, and other necessaries for those under his Command in the North Highlands, the Number of his Men being much diminisht, as well by the strong Garison he has put in Inverness, that Commands the Pass into those Highlands, as the 500 Men he sent to the Laird of Belnagown in Ross, to secure that Country; but has also advised the Council to send the Earl of Argyle, with some of the standing Forces, and his own followers, to enter Lochaber, (where Dundee is now sheltred) from the West-Highlands, when at the same time the Major-General shall enter Lochaber by the other side, next to the North-Highlands. Whereupon the Council has accordingly ordered the Earl of Argyle to March with a Detachment of the Forces, as the Major-General has directed, which will in all probability render it very difficult for Dundee or his Party to escape,

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<sup>1</sup> Banchory-Devenick.

being surrounded on all hands, unless he attempt to make for Ireland.

Several persons that have thought fit to abandon Dundee, are stragling up and down, and pickt up dayly; and this evening Three Gentlemen of that number were brought hither Prisoners; and it is reasonably presumed, that they will make large and full discoveries of his designs, and who his Confederates and Correspondents were, and continue still to be.

The Counties of Twedale<sup>1</sup> and Forrest,<sup>2</sup> have Petitioned the Parliament, for leave to raise a Regiment of Foot, and Two Troops of Horse at their own Charges, for keeping and securing of the Peace in their Country; and desire no pay, but will maintain them upon their own expences; offering also, That whenever His Majesty shall have occasion to call for them, they shall be ready to March whithersoever he shall think fit to command them.

We have fresh confirmation of Major-General Kirk's continuing in the River that goes to Londonderry, in expectation of a farther supply of Men to force his passage into the Town; to which end several Regiments here are preparing to be transported thither to joyn him. We are also told, That the Town perseveres in its Noble and Vigorous defence; That it is not straitn'd with want of Provisions as yet, having Husbanded what they had, to the best advantage.

#### Number 37.

From Tuesday July 9. to Saturday July 13.

In the Parliament, July 2. 1689.

After much Debate, Amendments and Explanations, the Act past in the words and terms following:

The King and Queens Majesty, considering, That the Estates of this Kingdom have by their Vote declared their Sense and Opinion, That such as have in the former evil

<sup>1</sup> Peebles.

<sup>2</sup> Selkirk.



Government been Grievous to the Nation, or have shewn Disaffection to the Happy Change by the Blessing of God now brought about, or have been Retarders or Obstructors of the good Designs of the said Estates in their Meeting, are not fit to be employed in the Management of the Affairs of this Kingdom : Do, with the Advice and Consent of the Estates of Parliament now Assembled, Statute and Ordain, That no person, of whatsoever Rank or Degree, who in the said former evil Government hath been Grievous to the Nation, by acting in the Incroachments mentioned in the Articles of the Claim of Right, which are declared to be contrary to Law ; or who has shewn Disaffection to the Happy Change by the Blessing of God now brought about, by acting in Opposition thereto since the time that the King and Queen now Reigning were Proclaimed ; or who hath been a Retarder or Obstructor of the good Designs of the said Estates, viz. The Securing the Protestant Religion, the Settling the Crown, the establishing the Rights of the Leiges, and Redressing their Grievances, by acting contrair to these good Designs since the time they became Publick by Votes and Act of the Meeting, be allowed to possess, or be admitted into any Publick Trusts, Place, or Imployment of whatsoever kind, under Their Majesties in this Kingdom.

But this Act has not as yet had the Royal Assent, which is done by the touch of the Scepter.

July 3. This day being appointed by Order of Parliament, That all the Members of it should be present, unless they had some reasonable excuse to justifie their absence ; the Rolls were call'd ; the Earl of Hume was excused, his being under Restraint hindring him from being present. The Earl of Dundonald, Lord Jedburgh, Laird of Clackmannan,<sup>1</sup> and John Sleigh, were excused, being sick ; and for the two last, Certificates were produced under Physicians hands, declaring their being so. The Lairds of Grant and Auchinbreck, John Gourdon of Embo, and James Gourdon, were also excused, being in Their Majesties Service in their respective Countreys. The Earl of Tarras, Lord

<sup>1</sup> David Bruce.

Blantyre, David Chrystie, and James Stuart, swore and sign'd the Oath of Allegiance to Their Majesties, took the Oath of Parliament, and then their Places. Then the House ordered, That the Clerks make a true and just List of all the absent Members who are at present within the Kingdom, and not excused, that the late Proclamation may be put in execution against them.

The Draught of the Act for Abolishing of Prelacy was again read, and the Act of Parliament 1662. for the Restitution of Prelacy, with the second Act of the year 1663. and fourth Act of Parliament of the year 1681. which are thereby rescinded, were likewise read, and some Amendments made in the Narrative, adjusting and fitting it to that Article in the Claim of Right, to which it relates; and the following Clause added to the rescissory part of it, viz. In so far allenary as those rescinded Acts are inconsistent with the present Acts, and do establish Prelacy, or Superiority of Church-Officers above Presbyters.

The Clause in the Act, whereby it is reserved to Their Majesties and the Estates to settle the Government of the Church, was then considered; and it being agreed to, That the word Presbyterian should be left out, His Majesty's Commissioner moved, That in place of these words, To settle the Government of the Church, etc. the Clause might run, To settle such a Government, etc. And after some debate upon the importance of those words, without coming to any determination in the Point, His Majesty's Commissioner adjourned till Friday next at Ten a Clock.

July 5. The Parliament having met this day, and the Rolls being called, Sir John Forbes of Graigywar,<sup>1</sup> the Lairds of Stonwood<sup>2</sup> and Kelburn,<sup>3</sup> were sworn, and subscribed the Oath of Allegiance, and took the Oath of Parliament.

The Draught of the Act for Abolishing of Prelacy was again brought in and read, with Amendments, and without the Rubrick or Paragraph of the rescinded Acts. After some debate, the Clause anent settling the Government of

<sup>1</sup> Craigievar.

<sup>2</sup> James Moir.

<sup>3</sup> David Boyle.

the Church being exprest in the following terms, viz. And the King and Queens Majesties declare, That they, with the Advice and Consent of this Parliament, will settle by Law that Church-Government in this Kingdom which is most agreeable to the peoples inclinations. The Act was put to the Vote and approved.

Then the Draught of an Act rescinding the first Act of the Parliament 1669. asserting His Majesty's Ecclesiastical Supremacy, was brought in and read. After some Arguing and Amendments, it was put to the Vote, and approved.

The Draught of an Act was given in, appointing all Sentences of Forfaultures, Fines, loss of Offices, Imprisonments, Banishments, Pursuits, Prosecutions, Persecutions, Tortures, and rigorous Executions, sine the year 1660. to be rescinded, and the persons thereby damnified and leis'd, to be redress'd and allowed to present their Causes and Grievances in Parliament, for obtaining the benefit of the Act. But before it came to a reading, His Majesty's Commissioner resumed his former Motions, That before entring upon any other business, the Estates would consider of farther Supplies for maintaining the Forces; and prest the Point with several Reasons, which were enlarg'd by the President and His Majesty's Advocate. But some debate arising thereupon, His Grace the Commissioner having seriously recommended to the consideration of the Estates, the necessity of the said further Supply for the Safety and Preservation of the Kingdom in this present Conjunction of Affairs, desired the President to adjourn the House till Tuesday at Ten a Clock; which was accordingly done.

#### Act Abolishing Prelacy.

*(The text of the Act is given in A.P.S. ix. 104 under date July 22, 1689.)*

July 6. Two Dutch Men of War are arrived at Leith, having 26 Merchant-men under their Convoy; in which Fleet there are considerable Forces to be landed here, in order to be transported for the Irish Invasion.

The Privy-Council being heartily desirous of the Liberty of the L. of Blair and other Gent. that were surprized and seiz'd by the Viscount of Dundee at St. Johnstoun some weeks ago, proposed to the Earl of Belcarras (who continues still under Restraint) to write to Dundee, That if he would set at liberty the said Laird of Blair and the other Gentlemen Prisoners, he the said Earl of Belcarras should have his liberty ; which the Earl at first promised to do, but afterwards refused to perform ; being induced to it, as is reasonably thought, by the insinuations of the Lord Ballantine,<sup>1</sup> who frequently convers'd with him. Whereof the Council being advertis'd, they thought fit to commit the Earl close Prisoner in the Castle, without allowing any access to him without leave.

Yesterday the Lord Ballantine going out of Town about Nine a Clock at Night, and being without the Gate call'd, The Pleasants, seeing a Soldier of M. G. Mackay's own Regiment there upon Duty, ask'd him whom he was for ? the Soldier answer'd He was for K. William and Q. Mary ; upon which the Lord drew out his Pistol, and shot him dead upon the place, saying, Here is K. James's Pass for you ; and so fled away, with one Servant accompanying him. The Council has publish'd a Proclamation commanding all persons to seize the said Lord where ever they can find him ; and for encouraging them thereunto, has offered 2000 Marks as a Reward to those who shall apprehend and secure him.

July 7. This day by an Express come from the North we have Advice, That M. G. Mackay has left Elgin in Murray, being got behind Dundee in Lochaber, who is marching to and fro in that Country, to gather what loose and stragling people he can ; and that Dundee had sent a Message to Duncan Macpherson of Clany,<sup>2</sup> the Chief of the Tribe of that Name, requiring him to come and joyn him with all his Followers, at the Head of Lochness, threatning, That in case he fail'd to do it, to burn and destroy all his Countrey with Fire and Sword : To which Clany return'd answer, That when he was last there, he

<sup>1</sup> Bellenden.

<sup>2</sup> Cluny.

had plunder'd and destroy'd all, and had left nothing but the empty Habitations and Land, which he was not much afraid of being blown up; and so refus'd to joyn him, and is gone to M. G. Mackay.

The Council hath order'd the E. of Argyle to hasten to his Country, to put himself at the Head of 6000 Men that are ready to march against Dundee; which accordingly he hath done; having granted him also a Commission to destroy all that belongs to Dundee or his Adherents. The like Commission is sent to M. G. Mackay, who hath now about 2000 Men with him, and is upon his march towards Lochaber. The Athol men continue in their Neutrality as yet. From Kintyre we have an Account, That few days ago great shooting was heard from Sea, which seem'd to be Broadsides from the Fleet in Lough-Foyle before Derry; some Fisher men assuring us, That M. G. Kirk hath either got into Londonderry, or at least made a vigorous Attempt for it. Some credible persons lately come from Ireland do affirm, That there is a Correspondence betwixt the Town and M. G. Kirk, by the means of some able Swimmers, so that they believed the Town would make a Sally, and attack the Enemies in their Trenches, while Kirk endeavours to force his way to it. They farther add, That the Besieged are not only in good heart, but have lately cut off a considerable number of the French and Irish Army. That Iniskilling is in a good condition, having brought in a great Booty from all the Country round about within the compass of 40 miles; That M. G. Kirk hath sent by Sea 4000 Stand of Arms with Ammunition and other Necessaries, to Bellishanan; And that the Forces in Iniskilling having sent a considerable Detachment of Horse and Foot to bring those Arms and Ammunition safe, took their way on the left hand round the whole Country; and having got the Arms and Ammunition, many Protestants came and joined them; then they took their way on the right hand: In their return they came to Castle-Dergue, within 10 miles of Derry, and so destroying all round, came safe to Iniskilling. They add further, That upon the News of the approach of this Detachment so

near to Londonderry, the Besiegers were in such a consternation, that many of them deserted the Army; and it's thought, if they had come nearer, the whole Army would have dispersed.

Number 38.

From Saturday July 13. to Tuesday July 16.

In the Parliament, July 5. 1689.

Act Rescinding the first Act of the Parliament, 1669.

*(The text is the same as that of the Act given in A.P.S. ix. 111 under date April 25, 1690.)*

July 9. After calling the Rolls, John Gourdon of Eubo,<sup>1</sup> and George Gourdon his Brother, Swore and Subscribed the Oath of Allegiance, and took the Oath of Parliament.

The List of the Absent Members was then ordered to be read; and the Earls of Lithgow and Kilmarnock, Lords Saltoun, Gray and Cuthcart, and Thomas Kennedy, were excused, And the manner of executing the Proclamation against the rest being considered, a motion was made, That it might be determined if the additional Penalties besides those imposed by former Acts of Parliament, could be inflicted by Virtue of the Proclamation, until it were touched, and had the Royal Assent. Whereupon the consideration of inflicting that part of the Penalty was delayed; and in the mean time the Fines imposed by former Acts, ordered to be exacted by His Majesty's Sollicitor.

His Majesty's Commissioner signified to the Estates, That a Letter had been brought to him from an unknown hand, discovering, That a Conspiracy was entered in, by several Persons in and about Edinburgh, against the Government. And that upon the discovery, His Grace and the Lords of the Council had caused secure several

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<sup>1</sup> Embo.

Persons named in the Letter, and others suspected guilty, and gave in the Letter, which being read, His Grace moved, That the Parliament might consider, if it were fit to put some of them, together with those Dragoons who confessed their Corresponding with Dundee, to the Torture, and how far that might agree, with the Article in the Claim of Right, anent Torture; and after arguing the Case, an Act was drawn and approved for Authorizing the Lords of His Majesty's Privy Council, to put such of the said Persons to the Torture, as they shall think fit, for making a further Discovery of the said Conspiracy against the Government, and of the Treachery of the Dragoons.

His Majesty's Commissioner gave in a Letter from His Majesty to the Parliament, which was read with the Draught of an Act for regulating the Articles in the terms of his Instructions thereanent, increasing the number to Eleven of each Estate, besides the Officers of State, Supernumerary, and allowing the Parliament to Elect them Monthly, or oftner as should be thought expedient. And to consider of any matter in Parliament, tho rejected in the Articles, and to make motions to be remitted to the Articles. After which His Grace signified to the Estates, That he was instructed not only to settle Church-Government, but also to Rescind all Forfaultures and Fines past, since January 1665. and to Redress all Parties unjustly leised thereby. And therefore, That His Majesty having done His part for procuring the Peace and Happiness of the Kingdom, he might justly expect their chearful Concurrence for promoting those ends, which so nearly concerned them.

Then the Draught of the Act given in by His Majesty's Commissioner, was considered, and the late Vote which was past in Parliament, for regulating the Committee, was read, and the differences betwixt the said Vote, and the Draught now given in, were stated, and the reasonableness and Expediency of the Act, as it was now given in, much urged by His Majesty's Advocate. But before they came to any Resolution, the Commissioner having first largely recommended to the Estates to consider seriously of the import of the Affairs now before them, and the

present exigency, Ordered to adjourn, which was done till to morrow at Ten a Clock.

Act anent using of Torture.

Their Majesties High Commissioner having acquainted the Estates of Parliament, That there was a Paper delivered to him, informing of a Plot, entred into by some ill men, against the Government; which Information he finding to be of great import, did cause apprehend all Persons named in the Paper, that could be found; Some whereof had acknowledged, That they did meet with others, and Subscribed a Bond, bearing Designs against the Government. Which Information was produced and read. As likewise his Grace having informed, That there were some Dragoons in Custody, who were apprehended as being suspect of keeping Correspondence with the Viscount of Dundee, who is in actual Rebellion. And that some of them had confessed, That they did go to the Lord Dundee's Camp, and give Intelligence. The King and Queen's Majesties, and the Estates of Parliament, Do approve Their Majesties Commissioner's Procedure in the said matters. And thinking it fit, That all further Inquiry be made in both the said cases, Do command and empower the Lords of Privy Council, to proceed to all further Enquiry in the said matters, by Torture or otherwise, as they shall think fit. *Sic subscribitur,*

Crawford P.

June 10. After calling the Rolls, a Letter directed to His Majesty's Commissioner from the Lord Frazer, was given in and read; and thereupon his Absence from the Parliament was excused; and likewise the Absence of the Lord Pitsligo.

The Act impowring the Solicitor to exact the Fines from the Absents, was read, and after some Amendments, put to the Vote and approven.

His Majesty's Commissioner moved, That the settling Church-Government, and the Forfaultures, might be taken into consideration; and some other Members having moved, That before entring upon any matter, the Affair



of the Committees might be adjusted ; A Debate arose, which continued for some space ; but before resolving, the Earl of Argyle desired, That seeing he had been Commissioner to make the offer of the Crown to Their Majesties, and had execute his Commission ; And now, That he was commanded in the Service of Their Majesties, and of the Kingdom, against the Rebels, and knew not when he should return ; therefore the Parliament might declare their Approbation of what he had done in executing the said Commission. It was moved, That before any such Approbation, a Paper might be read, containing some Interrogatories to be put to the Commissioners who were sent to attend Their Majesties with the offer of the Crown. And thereupon it was ordered, That these Instructions given in to these Commissioners should be Interrogate upon the Parliament Instructions, or upon the Interrogatories now given in. But before determining the Point, His Majesty's Commissioner ordered their adjourning, which was done till Friday at Ten a Clock.

Double of the Letter brought to the Commissioner,  
Dated July 6. 1689.

May it please your Grace,

“ This Night about six a Clock, I was informed of some  
 “ evil inclined Persons, who certainly design some wicked  
 “ Enterprize ; what it is, I know not : But the particular  
 “ Persons are these especially, belonging to the Castle,  
 “ viz. Winster, Scot, Dunbar at Leith, Innes, one Telster,  
 “ one Wrywhart, with many others concerned therein, by  
 “ a subscribed Paper which some of them has. There is  
 “ one Collonel Wilson, Butler, and Dunbar, with some  
 “ other of English and Irish Officers lurking in Town in  
 “ Black-fuer-wynde, likewise Captain Douglas Kellhead's  
 “ Brother, Lees Pringle, and several others : I am surely  
 “ informed of ; which I thought it my Duty in Conscience to  
 “ acquaint your Grace, with that by the Lords Providence  
 “ their pernicious Designs may be frustrate by timous  
 “ preventing them. I can say to my Information, To  
 “ morrow, or Monday at farthest, they intend to put in

“ Execution. Let not your Grace despise this Advertise-  
 “ ment, for I assure your Grace, it is no Lye, as will be seen,  
 “ if speedily put in Execution. I was almost engaged my  
 “ self, which makes me know the Truth. I leave the care  
 “ of this to your Grace’s wise Determination, and shall  
 “ ever pray for the continuance of the true Protestant  
 “ Religion, tho I have been misled for a time, and sub-  
 “ scribe my self, till further Knowledg.

*Sic subscribitur,*

J. 3. a K.

List of the Persons Apprehended and Imprisoned by  
 Virtue of the abovementioned Information.

Duke of Gourdon, Earl of Hume, Lord Oxenford,  
 Lord Lochore and his Servant, Lieut. Coll. Middleton,  
 Lieut. Coll. Wilson, Capt. Douglas, Capt. James Vawchap,  
 Capt. Wilson, Capt. Dunbar and his Servant, Capt. Butler,  
 Laird of Larg,<sup>1</sup> Gourdon of Auchintrat,<sup>2</sup> younger, John  
 Louthian, Ensign, Windrim, Ensign, Ratray, Corporal,  
 Sandiland, Ensign, Mr. Forrester, Minister, James Irwin,  
 Al. Borthwick, Alex. Wilson, Vintners, Burnet of  
 Craigmile, Sinclair of Gelstoun, Ja. Cockbourn, Gold-  
 smith, John Cockbourn, Quartermaster, John Tompson,  
 Trooper, William Scot, Soldier, Robert Dunbar, Gunner,  
 Mr. Will Sym, Advocate, Mr. Mill, Minister at Campsie,  
 John Machy, Son to Henry Machy, Alex. Machfell, Trooper,  
 William Urwhart, Alexander Ogilby, Mr. Will Souther-  
 land, Mr. J. Macklean, Writer, Jo. Perverse, Servant to  
 the Lord Dundee, Bamf. Ramsay, under Arrest.

The design of these men, was to seize upon His Majesty’s  
 Commissioner, most or all the Members of Parliament and  
 Privy Council; and in short, to fall upon all those they  
 knew to be well affected to Their present Majesties. At  
 the same time they were thus bloodily resolved to commit  
 this horrid Barbarity on the Persons of so many Noble,  
 Loyal and Worthy Gentlemen; they intended to set the  
 Town on Fire in 7 or 8 different places; and Sunday night  
 last was the appointed and fixt-on time for the Execution

<sup>1</sup> John MacDonald of Largie.

<sup>2</sup> Alexander Gordon younger of Auchintoul.

of so Tragical a Contrivance. If they had proved successful in this, the next Act of their Plot, was to go and joyn Dundee, flattering themselves with the hopes of getting 2 or 3000 men in and about this Town, either by force or fair Promises, to go along with them; but before they would have left the Town, they resolved to lay hold on the general Consternation, and disorder all things would be in, both by the Fire and Massacre, and to break open the Talbooth, and other places of Restraint, and to set all the Conspirators that were taken in M. G. Mackay's Army, and all other Prisoners, at liberty. Several of those who are apprehended, have confessed what is above related, to the Council; and when the others are put to the Torture, we hope to give your a more ample and distinct Relation.

Number 39.

From Tuesday July 16. to Saturday July 20.

In the Parliament, July 11. 1689.

The Parliament being Assembled yesterday, His Majesty's Commissioner moved, That the Church Government should be taken into Consideration: But it was urged by some of the House, That the State of the Nation should be first settled, because it would contribute much to the settling of the other Head. Then they entred upon the debate of the Officers of State being of the Committee, which continued long; but before it came to an issue, the Earl of Argyle moved, That he having had the Honour of being one of those who were Commissionated to carry the offer of the Crown to the King and Queen; and being now to go on an Expedition in Their Majesties Service, he desired an Act of Exoneration of his Commission; adding withal, That he was willing to undergo the strictest Scrutiny and Examination that could be made: Whereupon it was said by a Noble Member of the House, That if such an Exoneration was desired by the Persons concern'd in that Affair, he might have the liberty to propose

some Interrogatories to the Commissioners, before the Act of Exoneration past. His Grace upon this motion, desired first to see the Interrogatories, and that the Instructions, which were given the Commissioners, might be read ; which being agreed unto, His Grace moved, That they might be interrogate upon their Instructions, and no further. It was urged by some of the House, That the Interrogatories might be read, and it was granted. Then His Grace moved, That they might be asked, if they had delivered the Claim or Petition of Right, and other Papers, in the same order and method the Estates had appointed ? The Earl of Argyle answered, That the Exoneration he demanded, was for himself only, and that he was willing to answer any proper Interrogatories that could be made to him on that head. The King's Advocate conceiving this motion to aim at him, did offer to acquit and clear himself of any thing that might be charged upon him, as if he had not acted according to his Instructions and Commission given them by the then Estates ; and declared he was willing to undergo the severest Examination and tryal upon that head : others argued he might be interrogate upon the Instructions given to the Commissioners ; he answered, That he needed not decline to be interrogate upon those Instructions ; and that the Commission granted to them, being their Warrant, if he had acted according to it, he had sufficiently acquitted himself of that trust incumbent upon him. The Debate upon this Point continued so long, that no more was done this day, save only, That the Act past for Fining all the Absent Members from Parliament, recommending to His Majesty's Solicitor to exact and raise the same ; then the House adjourn'd till Friday.

July 12. After calling of the Rolls, the Earl of Erroll, and Lord Cardross, were Sworn, Subscribed the Oath of Allegiance, and took the Oath of Parliament.

Then the Earl of Argyle moved again, That he might have his Exoneration concerning his faithful discharge of his late Commission ; and it being urged, That the Interrogatories given in the last Parliament day, to be

put to the Commissioners from the Convention of Estates, might be read, in regard it was alledged, that some of them had advised to present the Grievances after that Their Majesties had taken the Oaths, contrary to the order of the Estates. But His Majesty's Commissioner renewed the motion to the Parliament, That they should take the Business of Church-Government into their Consideration, preferably to any other matter, as His Majesty had been pleased to signify to them in His Gracious Letter. The Earl of Argyle pressed, That his Exoneration might take place, in regard it had been first laid before the House, and consequently should be first dispatcht. The point was much insisted upon, and argued by several Members; at last it came to a Vote, and the Question was stated, Whether the Church-Government should be first considered; or if the Consideration of the faithfulness and diligence of the said Commissioners should intervene; and it was carry'd by the Plurality, That the House should first proceed to consider of the diligence and faithfulness of the Commissioners, in order to their Exoneration.

It was then moved, That the Three Commissioners should remove and withdraw out of the House, and each of them be call'd in, and examined separately upon the discharge of their Trust, and Execution of their Commission; which was agreed to. And after much Debate open the manner and method of examining them the Instructions were ordered to be read again, together with the Act of the late Convention of Estates, naming and impowring them for making offer of the Crown; which was also done. Then the Debate was resum'd; and it was urged in behalf of the Lord Advocate, That the Commission to the Three, did bear, That they should deliver the Petition of Right, and see the Oath taken, and deliver the Grievances; which imply'd the order and method the Advocate had advised to follow. But on the other side it was answered, That the Instructions directed them to deliver both the Petition of Right and Grievances, before the Oath. But after much Debate on both sides; and before they came to any Resolution upon the matter, the Commissioner thought

fit to order the House to be adjourn'd till Wednesday next at Ten a Clock.

But before the House was Adjourn'd, the List of the absent Members was brought in and read again, which was as follows.

List of the Absents from the Parliament.

Duke of Queensberry.

Marquis of Athole.

Earls : Kaithness, Dumfermling, Strathmore, Lauderdale, Southeske, Airley, Callender, Panmuire, Kincairden, Brodalbine, Aberdeen.

Viscounts : Oxfoord, Tarbett, Dundee.

Lords : Sinclair, Balmernoeh, Dunkeld, Duffus, Ballendine.

Barons : Foulles of Collingtoun, Elliot of Stobbs, Murray of Stenhope, Sheriff of Bute, Halden of Glenagies,<sup>1</sup> Ogilbie of Boyne, Craigie of Gairsey.

Burgesses : Mr. Hendry Mauld, Mr. Robert Stewart, Thomas Tulloch, Heugh Wallace, George Battoune,<sup>2</sup> Robert Innes, Kenneth Mackenzie, John Andersoune, George Traell, William Bettie.

July 13. Last night Major General Mackay and Collonel Ramsey arrived here from the North, having left the most considerable part of his Forces in Garisons in that Country, to secure it from the Irruptions and Molestations of Dundee ; the Major General being resolved himself to go in a few days in pursuit of him. Dundee continues in Lochaber, at the Laird of Locheile's House, who is the chief of the Tribe of the Camerons, and makes account to march, if he can, into Kintaile.

The Earl of Argyle having got his Commission for Fire and Sword against all those that adhere to Dundee, or will not joyn with him in the common Defence of the Country, for Their Majesties Service, has begun his Journey Westward this day. He has carried along with him some Troops of Horse, and several Detachments, to joyn his own Men and Followers, with several others in that Country, that are in a readiness to come in to him upon his

<sup>1</sup> Gleneagles.

<sup>2</sup> Beaton.

appearing there, to secure the Western-Coasts, in case of an Invasion from Ireland, and against all Insurrections and Commotions in those parts.

This Night there is an Express come from Ireland, who being examin'd before the Privy-Council, declares, That he being one of the Lord Barganies Officers, was sent on purpose into that Kingdom, to inform himself of the State of Affairs there, and to be able to give some account of them, if he should have the good fortune to return. But that being driven in to Carrickfergus by contrary Winds, and there detained two days Prisoner, he had observed great Preparations a making for the Embarking and Transporting of a great many Men with all imaginable diligence ; and, according to what the Irish gave those numbers out for, they were 1500 Men ; but to the best of his conjecture they would not be above 7 or 800, whereof there were 140 Officers. That on Wednesday before, they had set Sail from Carrick-fergus ; and that the confusion and haste they were in, was such, that they took no great notice of him, which gave him the liberty to follow them at some distance, without being discovered. That he saw them engage with two small Frigats : The first they took with little Opposition ; the other made a very stout and vigorous Defence ; but not being able to hold out long, or to resist so strong and unequal a Match, they being four Men of War, and seven Fly-boats, had the misfortune at last to be taken. That, for any thing he knew, or could learn, they design'd for Kintire, or some of the Western-Highland Isles ; and is very apprehensive that those two small Frigats may be ours, that were sent to cruise on the Irish Coasts, and had done so considerable Service on those Seas, by taking several of the Enemies Merchant-men, and burning so many of the Irish Boats and Barks in their Harbours, as you have heard of before.

It does not as yet appear, by any publick Discovery that is made of the Examinations and Confessions of those that were accused and secured for being concerned in the late Conspiracy against the Government, that they had any further Design, than to enter into a Band of Associa-

tion of going in to, and joining with Dundee, without any intention or purpose to seize on the Commissioner, or Members of Parliament, or of setting the Town on Fire, as was at first reported : But in a few days it's hoped that the bottom of this Affair will come to be searched into, and known, when the Parties most concerned in it, shall find themselves obliged to make a more full and free Confession and Discovery of what they know, by the apprehension of being fore'd into it by Torture.

July 15. The Bass is at last delivered up to the Parliament, for His Majesties Service.

Captain Young and several good Officers are gone with the Forces in Argyleshire, to disperse or fight the Forces landed from Ireland.

Major General Mackay and Collonel Ramsey are gone back to the North again, to fall upon Dundee on that part of the Country.

The Depositions of the Conspirators are kept very Secret : many Warrants are issued out for the Apprehending of Persons, and Parties are abroad to seize the Earl of Lauderdale, Lord Levingston, Earl of Callender, Sir John Fowls of Collington, and others.

#### Number 40.

From Saturday July 20. to Tuesday July 23.

Edinburgh, July 16. 1689.

The Parliament being Adjourn'd from Friday last, till Wednesday, which is to morrow, I have no Parliamentary matters to entertain you with ; but to make amends in some measure for that loss, shall endeavour to give you the best Account of the other Affairs of the Nation, that this Place affords.

There have been two or three Persons examined before the Privy Council, that give the following Account of the Landing of the Forces from Carrickfergus in Ireland, in the West of Scotland : That they had come from Dublin by



Land to Carrickfergus, being about 700 Foot and 60 Horse ; That the Officers had no small difficulty to get the Soldiers to Embarque for Scotland, showing all imaginable aversness to it, which made them use some force to get them on Board ; That the two Scotch Frigats fought the three French Men of War, two of 35. Guns a piece, and another of 23. and the eight great Flyboats, with all imaginable Courage and Bravery, during seven hours, and did not suffer themselves to be Boarded by the Enemy, till that all their Powder and Shot were spent, and most of their Men kill'd or disabled. That afterward they made Sail for Innerlochy, to joyn Dundee ; and that when they had Landed their Men, the three French Frigats went immediately back again, and it is believed to bring over more Men. Amongst those that are come over, Collonel Cannon, Collonel Vauchop, Collonel Buchon, Sir And.<sup>1</sup> Kennedy, and some others, are named.

Letters come from Sir Duncan Campbell, Lieutenant Collonel to the Earl of Argyle, bring an account of his having mann'd out a large Boat, with many Soldiers well arm'd, to Engage a Vessel they had seen at Sea, and suspected to come from Carrickfergus, with Men to Land somewhere in Kintire ; and coming to a close Fight, they took the said Vessel, which is reported to be one of the Flyboats that was carrying 33 Horses, and brought all the Men and Horess ashore.

A Proclamation is issued out by His Majesties Commissioner, and the Privy Council, Commanding all the Heritors, and Freeholders, to be ready on a days call, with Arms, Ammunition, and Provision, to join His Majesties Horse, commanded by Major General Mackay, who will march from hence in a day or two, with all the Forces that are here, and in the Neighbourhood. The Substance of the said Proclamation runs thus.

That whereas they were credibly informed, That last week there were shipp'd at Carrick-fergus in Ireland, a considerable number of Irish Forces, and other Intestine Rebels, under the Convoy of three French Men of War,

<sup>1</sup> Archibald.

and were seen under Sail off the Mull of Kintire, and without doubt are before this time landed in some of the Islands near Innerlochy, where they may have the opportunity of joyning with the Viscount of Dundee, or his Associated Rebels in those Parts: Therefore They, in His Majesty's Name and Authority, Prohibit and Discharge any Person or Persons of what Rank, Degree or Quality soever, to Reset, Harbour or Entertain, or any manner of way to keep Correspondence with those Inhumane Invaders, under their highest Peril; And, in Name and Authority aforesaid, They Command and Charge all the Heritors of the Shires of Perth and Forfar, and all the Shires benorth the Water of Tay, to Assist and Provide Horses and other things necessary for carrying the Ammunition, Bag and Baggage, etc. that belong to the King's Forces under the Command of Major-General Mackay, present Commander in Chief of His Majesty's Forces in this Kingdom, as they shall receive Orders from him, who is to march from this place upon Thursday next, towards the North and North-West Shires: Where it's hoped they may soon defeat and exterminate those barbarous and cruel Invaders.

This day Thirty two Sail of Merchant-Ships set Sail from Leith for London, under the Convoy of two Men of War, and one Frigate; and several other Merchant-men are to joyne them in the mouth of the Frith; The Castle fired several Guns to their good Voyage, which was answer'd by the whole Fleet.

The Plot here, seems to be sufficiently discovered and such effectual methods are taken, as will soon secure all the Persons concern'd therein.

The Viscount of Dundee continues still in Lochaber, most of his Foot having deserted, and few of the Horse are in a condition to continue long with him.

There is a Resolution taken, of Fortifying Innerlochy, and of putting a strong Garison in it; and to that end, they say, That several hundreds of Work-men from the Shires of Murray, Nairn, and Ross, are ordered to be ready, and to provide a great quantity of Spades, Shovels,

Wheel-Barrows, and other necessary Instruments, for that Work ; and it is believed, that it will the sooner be effectuate, by reason of some Remains of Fortifications that yet continue there, since the time the English were in those Parts and made Innerlochy the chief Garison, and Head Quarter in all those Highlands, which kept all the Savage Inhabitants in those Countries in great awe, and forc'd them to live regularly, as their Lowland Neighbours used to do.

The first Discoverer of the Plot is now known, and his name is John Mackgee, a Papist ; he belong'd formerly to the Custom-house in this Kingdom. On Monday next, Lieutenat Collonel Levingston, and the other Conspirators in Major General Mackay's Army, are to be try'd by a Council of War. Several of the Clergy here, are secured on Suspition of holding Correspondence with the late King, or the Viscount of Dundee.

By some Passengers lately come from Ireland, we are fully assured. That Londonderry continues in their Brave and Vigorous Defence ; That the Men of Inniskillin had lately taken a very rich Booty of several Waggons loaden, that were going towards the Army before Londonderry, with Arms, Ammunition, and Provisions of all kinds, and a considerable Sum of Money, a great part whereof was of French Coyn, of Fourpence half-penny, tho of intrinsick value not worth three pence a piece, having cut off the Party that convoy'd them to the number of near 500 Men. They add also, That the Bishop of Waterford was murdered by the Irish, in his own House ; the Dean and several Servants, being wounded, escaped very narrowly. That the Irish Parliament has past divers Acts against the Protestant and English Interest of that Kingdom ; and that all those of the Protestant and British Inhabitants, who had got Protection from the late King, were in daily Fears and Apprehensions of being assassinated by the bloody Irish, all the Irish Priests instigating their Votaries thereunto ; and that they doubted not of being so served so soon as they hear of the English Army's being Landed in that Kingdom. Some hundreds of the British Protestants

are got into the Island of Inch, where they have fortified themselves; Major General Kirk having sent a Detachment of his Forces thither, and furnished them with what is necessary for their Subsistence and Defence.

Number 41.

From Tuesday July 23. to Saturday July 27.

In the Parliament, July 17. 1689.

The Parliament being adjourn'd from Friday last, met this day; and after calling the Rolls, Thomas Kennedy, Commissioner from Lochmorber,<sup>1</sup> and John Anderson for Inverury, were sworn, subscribed the Oath of Allegiance, and took that of Parliament. A Motion was made by the President, That the Parliament would be pleased to consider of some effectual means for enacting payment of the few Duties, and other Branches of the Crown-Rent due to Their Majesties, seeing there was no Signet as yet appointed.

In the mean time, James Ramsay of Bamf swore, subscribed the Oath of Allegiance, and took the Oath of Parliament; and it was ordered, That the Earl of Arrol, the said James Ramsay, and John Anderson above-named, should be cancell'd out of the Lists of Absents from Parliament; Thomas Kennedy having sent his excuse before to the House, and it was received.

An Order to the Messengers at Arms for charging and requiring all persons to make Payment of Their Majesties Crown Rent in six days, under the pain of poynding and distraining their Goods, and imprisoning their persons, conform to the Lists of Deficients to be made by the Receivers General; and authorizing the Privy-Council to grant and discuss Suspensions of such Charges, was then read, voted, and approved.

His Majesty's Commissioner moved, That in regard of

<sup>1</sup> Lochmaben.

the Information that had been received, That some Irish were come over in three Ships to the Assistance of the Lord Dundee ; therefore, as the Privy-Council had given the necessary Orders to the Commanders of the Standing Forces on that occasion, the Parliament might consider of the best means for putting the whole Kingdom in a posture of Defence, in case of Extremity. The Point was spoke to by several Members ; some being of opinion, That the properest method for securing the Nation, would be to call out all the Fencible Men ; others thought, That the Militia should be raised : but after some Debate, it was resolved on, that the matter should be referred to the Lords of His Majesty's Privy-Council.

Then His Grace, the Commissioner, acquainted the House, That it being his Majesty's pleasure that the Church-Government should be settled ; And now that there are no Committees, matters proceed more slowly in a full House : Therefore he thought fit to offer a Draught of an Act for settling Church-Government ; which being read, the substance of it was, To revive the first Act of Parliament, *An. 1592.* establishing the Government as it was then, by Kirk-Session, Presbyterial, Classical, Synodical, and General Assemblies ; and rescinding all the Acts in favour of Prelacy. Appointing also the Ministers that were put out the year 1662, for Non-Conformity, to be restor'd again ; and those that went out *An. 1681,* for not taking the Test then imposed, to be likewise restored. Another Draught was presented by some of the Members, For Establishing Presbyterial Government, and Abolishing the Rights of Patronages of Church-Benefices. A third Draught was offer'd, For reviving the said Act of *An. 1592,* and declaring all Ecclesiastical Jurisdiction to reside in such Church-Ministers only as have received Ordination according to the Rules of the Presbyterian Constitution, standing in force *An. 1662.* All which Draughts being read, the further Consideration of them was referred to the next Meeting. Thereafter the Draught of an Act formerly presented, For rescinding all Fines and Forfaultures past since the first day of January 1665, was ordered to be read, and a Clause

to be added, That the Act might not prejudice any Party of their just grounds to reduce such Fines and Forfaultures as were pronounc'd before the said first of January 1665, according to Law : But it was delay'd to be put to the Vote till next Meeting : And then the House adjourned till Friday next at Ten a Clock.

July 18. This day the following Proclamation was Published against the Lord Dundee and his Associates.

A Proclamation  
Against the Viscount of Dundee, and other  
Rebels now in Arms.

At Edinburgh, the Eighteenth day of July, One  
Thousand Six Hundred Eighty Nine Years.

*(The text of the Proclamation is summarised in Crawford : Tudor and Stuart Proclamations : Scotland No. 2829. It announces that some hundreds of Irish Papists have been shipped at Carrickfergus to join Viscount Dundee along with Alexander Earl of Dunfermline, Lord Dunkeld, David Halyburton of Pitcur, Innes of Coxton, Grant of Ballindalloch, Gordon of Achanachie, Fullerton of that Ilk, Captain Alexander Bruce, Alexander Leslie of Bogholm, Lieutenant John Cleland of Faskine, Sir Ewan Cameron of Lochiel and his eldest son, McDonald of Glengarry, McDonald of Keppoch, Stewart of Appin, McDonald of Glencoe, Major William Grahame, [David] Grahame, brother of Dundee, James Malcolm, son of the laird of Balbedie, the laird of Maclean, Alexander McLean, McLean of Lochbuie, the Captain of Clanranald, William Farquharson of Inverey and his brother, Kinnaird of Culbin and others. Declaring their association to be high treason it forbids correspondence with them as rebels and offers a reward of 18,000 merks Scots for apprehending and delivering Dundee.)*

July 19. After calling the Rolls, it was moved, That the Parliament would consider the Proclamation issued forth by the Privy-Council for opening the Signet ; in order whereunto, the Clerk of the Council was commanded to bring in the Proclamation, with His Majesty's Letter to

which it relates, to be read in the House; and after some Overtures for settling the Church-Government, it was agreed to, without a Vote, That before any further proceeding in the Affair of Church-Government, the said Proclamation, with His Majesty's Letter, should be considered.

The Commission given by His Majesty to the Senators of the College of Justice was then read, with a List of their Names who were to be of it, sign'd by His Majesty; as also His Majesty's Letter to the Council, ordaining the Signet to be opened. And the Point being much argued, Whether or no, in case of an entire Vacancy of the Session, it were requisite to interpose the Authority of Parliament to the nomination of the Senators of the College of Justice made by the King's Majesty? Whereupon several Acts of Parliament, with the Act of Sederant, relating to the nomination of the Lords of the Session *An.* 1661. were read. But before they could come to any determination, the House was adjourned till Monday next, and the Signet in the mean time ordered to be shut, until that time, that the Parliament might consider farther of it.

Yesterday a Council of War was held for the Trial and Examination of Lieutenant-Collonel Levingston, and his Complices in the Conspiracy who have all confessed their Crime in holding Correspondence with the Lord Dundee, and of their resolution of going in to him: And one of the Murray's confess'd, That their design was to betray the Army to Dundee, and to seize on Major-General Mackay in his Tent. A Serjeant of Dundee's Army has declared the same, and confirms the Truth of every particular of the Discovery: They have all thrown themselves upon the King's Mercy.

Major-General Mackay begins his March Northward on Monday next; the Council having appointed him some Hundreds of Baggage Horses and several days Provision: He commands 14000 Men of the standing Forces in this Expedition and is resolved to find Dundee out, if he be to be found above ground.

July 20. The Earl of Lauderdale was brought in Prisoner

yesterday to Town, and is committed to Custody in the Castle.

An Account is come to the Privy-Council from Sir Duncan Campbell of Auchinbrech, That he has taken three Boats with Horse and Men belonging to the Irish that Shipt at Carrick-fergus: The Men are brought Prisoners hither from Argyleshire; And that the number of the Irish that are landed is about 500.

Number 42.

From Saturday July 27. to Tuesday July 30.

In the Parliament, July 22. 1689.

After calling of the Rolls, the Lairds of Torwoodly<sup>1</sup> and Ava were excused for their absence, they being both very sick.

His Majesty's High Commissioner acquainted the House, That he had received a Warrant from His Majesty, relative to his former Instruction, to Pass the Act for Abolishing of Prelacy; and desired it might be presented to be touched with the Scepter, which was accordingly done.

His Grace then signified, That His Majesty was pleased to allow the Estates in Parliament to chuse Committees for settling the Government of the Church, and for rescinding the Act of Parliament of the year 1685. by which all the forfaulted Lands are annexed to the Crown; as also for considering and rescinding all the Fines and Forfaultures in the terms of his former Instructions, and for considering of a further supply to maintain the Army, which was thought necessary in the present exigency.

An Address from the Ministers of the Presbyterian Persuasion concerning the Church Government, was given in by his Grace, and read; But the consideration of the said Address could not be entred upon: wherefore the subject matter of the former days debate was resum'd;

<sup>1</sup> George Pringle.



namely, If the nomination of the Lords of the Session, made by His Majesty, in case of a total vacancy, required the Authority of Parliament? And if it was requisite, by the Constitution of the College of Justice, That the President of the Session should be Elected by the Lords? And after much Debate upon these Two Points, the Draught of an Act was at length brought in by a Member and ordered to be read, for declaring the Method of naming and admitting the Lords and President of the Session: which being done, the putting of the Act to the Vote of the House, was delayed till the next Meeting.

Ordered, That in time coming, upon every meeting of the Parliament, before they enter on the consideration of any other matter, the minutes of what is done the Sederant or Session immediately preceding, be read; and that the method of naming and admitting the Lords of Session should be first considered at the next meeting: After which, the House Adjourn'd till Ten a Clock on Thursday.

That which gave occasion to this great Debate in Parliament about the Lords of the Session was, That in regard His Majesty was graciously pleased to Write to the Privy-Council for opening the Signet, as was mentioned in the former Journal, it was then brought into the House; and it was urged by some Members, That the Signet could not be opened until there were Lords of the Session, and of them there could be none now, until they were tried and approved in Parliament; alledging, that by the first institution in King James the V's time, when there was a total vacancy, they were nominate by the King and Parliament; the same accident happening also in the year 1641. they were nominate the same way; as also *Anno* 1661. upon the like vacancy they were nominated by the King; but were admitted, received and approved in Parliament. Besides, it was said, That by the Acts of Parliament in King James the VI's time, the President was to be chosen by the Lords, and accordingly it was done till the year 1661.

July 23. Draught of an Act for the admission of the ordinary Lords of the Session, and Reformation of certain abuses therein.

Act anent the Admission of the Ordinary Lords of the Session, and Reformation of certain Abuses therein.

The King and Queen's Majesties considering, That by the Laws of this Kingdom, when the place of an Ordinary Lord of the Session does prove Vacant, it is to be supplied by the King's nomination of a fit and qualified Person for the said Office, and presenting him or them to all the rest of the Lords, to be Tried, and Admitted or Rejected by them; And being that there is now a total Vacancy of the Lords of Session, by the Happy Change by the Blessing of God now brought about, so that there can be now no such Trial by the Lords; And that when such total Vacancies have fallen out, the Lords were either nominated by the King and Parliament jointly; or, if they were nominate by the King, the Nomination was approven, and the Lords so nominated were admitted by the Parliament: Therefore Their Majesties do declare That they will nominate fit and qualified persons in the said Offices, and present them to the Trial of the Parliament, to be Tried, and Admitted or Rejected by them. Likewise Their Majesties, with Advice and Consent of the Estates of Parliament, Statutes and Ordains, That in all time hereafter, when any such total Vacancy shall occur, the appointing of the Lords of the Session shall be by the King or Queen for the time; and in case of their Minority, by their Regent. Their nominating fit and qualified persons to the said Offices, and presenting them to the Parliament to be tried, and Admitted or Rejected by them in manner aforesaid. Like as Their Majesties, with Advice and Consent foresaid. Ratifie and Approve the Ninety-third Act of the sixth parliament of King James the Sixth, anent the Admission of the Ordinary Lords of the Session, and Reformation of certain Abuses therein; and the One hundred thirty second Act of the twelfth Parliament of King James the Sixth, anent the Jurisdiction, Presentation, Qualities, and Age of the Lords of the Session, in the hele Heads, Articles, and Clauses thereof; and particularly, the Clauses contained in the saids two Acts, declaring, That in all time hereafter, when any place should be

vacant in the Session, That His Majesty should nominate and present thereto a Man fearing God, of good Literature, Practick Judgment, and Understanding of the Laws, of good Fame; having sufficient Living of his own, worth Twenty Chalders of Victual or yearly Rent, and who can make good expedition and dispatch in matters touching the Lieges of this Realm: And likeways be other Clauses contained in the said Ninety-third Act of the sixth Parliament of King James the Sixth, declaring, That the President of the College of Justice shall be chosen by the whole Senators thereof, of the Condition and Qualities above-written; for Chusing and Electing of whom, the King's Highness and Estates dispenses with that part of the first Institution of the College of Justice, anent the Election of the President; and declaring, That in absence of the Chancellor, and President for the time, it shall be leisom, or lawful, for the Lords to Elect and Choice any of their Number whom they think qualified, and Worthiest, who shall be called Vice-President, for using of the said Office, calling of Matters, repeating of Allegations and Pleas propounded by the Advocates at the Bar, collecting of the Lords Votes, and pronounciation of the Decrees and Interlocutors, ay and whill the returning of the said Chancellor or President. Likeas Their Majesties with Advice foresaid, Statutes and Ordains, That the hele Qualifications abovementioned, be only observed in the Admission of the Lords of Session in all time coming; and that as weel in the case of a total, as a single Vacancy.

Edinburgh, July 23. Two days ago a Servant of the Lord Dundee's being sent hither to some of his Adherents and Associates here, was taken, and brought to Town: Upon strict search and examination, they found several Letters and Papers about him, sow'd up in the Sleeve of his Coat, without any other Direction, Inscription, or Matter in them, but *Trust the Bearer*, and subscrib'd by Dundee. Some of those Papers were from the Earl of Dumfermling, without any Direction or Superscription without; and within, he complained of their Slowness,

and admired why they deferr'd so long the doing of what they promised, being he was now in straits; sign'd Dumfermling. Yesterday this young Man was brought before the Council, where being interrogat and examined upon those matters, he at first shuffled, and made many prevaricating Answers, till at last the Executioner being sent for, and coming in with the Boots and Thummikins, which he saw preparing for him, unless he confessed, he thought fit to make a full Discovery of all he was entrusted with by word of mouth from the Lord Dundee and Lord Dumfermling; acquainting their Lordships with his Instructions, and naming the persons he had those verbal Commissions to. But who the persons are, and the particulars of his Discovery and Confession, is not yet thought seasonable to be made publick.

Major-General Mackay sent to the House a Letter, desiring, That such Members of Parliament as are Officers in the Army, might be allowed leave to repair to their respective Commands in the Army; That all the Baggage and Draught-Horses appointed by the Act and Proclamation of the Privy-Council, might be immediately commanded to be sent to the Camp; and that, instead of 1500 Pioneers and Workmen ordered by the Privy-Council for fortifying of, and making a Garison at Innerlochy, there might be 2000 appointed for that Work. The first Branch of the Major-General's desire was much debated on, without coming to any determination: The second was referred to the Privy Council for immediate dispatch; and the last is to be considered of at the next meeting.

We have an account from the Highlands, That the Irish are Landed in the Isle of Mull where the Mackleans live, and that they exceed not 400 men. That the Lord Dundee is endeavouring all he can to draw all the Clans together to joyn him, which with those Irish, may make a body of several Hundreds of men, but that they cannot subsist or continue long in those parts; for the Earl of Argyle is Marched from Argyleshire with 3000 well disciplin'd and experienced men, besides many of his own

followers. Sir Thomas Levingston is gone from Inverness with 3000 men more to enter Lochaber from the East, and Major-General Mackay Marches from the South with 4000 standing Forces, and takes his way through Athol.

There is a Camp form'd at Stirling of 6000 besides, to be ready to March on the first occasion.

We are credibly informed, That Captain Hamilton, and Captain Brown, the Commanders of the two Scotch Frigats, who had the misfortune to be taken by the French Men of War that brought over the Irish, are kill'd; but that Captain Brown's Ship is retaken by Captain Rook, who is now in pursuit of those French Frigats.

The Athol men are up; but have not yet declared who they intend to be for.

#### Number 43.

From Tuesday July 30. to Saturday August 3.

In the Parliament, July 23. 1689.

After calling of the Rolls, the Lord President gave in an Overture in writing from the Lords of the Privy-Council, which was made to them by Major-General Mackay, That in order to the speedy raising of a Fort for a Garison at Innerlochy in Lochaber, 2000 Pioneers and Workmen be sent to the place from the neighbouring Shires for that effect. Which being read, His Majesty's Commissioner press'd the expediency of such a Garison at Innerlochy: And likewise signified, That the Lords of His Majesty's Privy-Council had made and published an Order, That the Shires of Edinburgh, Lithgow, Stirling, Clackmannan, Fyfe, and Kinross, should furnish their respective Proportions of Baggage-Horses, for the more convenient March of the Army against the Rebels; to which they desired the Authority of Parliament might be interposed. Whereupon the said Order of Council was read; but the matter was

deferred, and ordered to be considered of before any other Affair, at the next meeting.

It was also Ordered, That the Commissioners from the Shires of Ross, Inverness, Nairn, Murray, Bamf, Aberdeen, and Kincarden, meet at Four a Clock this Afternoon, and adjust the Proportions of the Pioneers to be sent from the respective and adjacent Shires to Innerloch, and make Report of the same to the House.

Then the Draught of the Act prescribing the manner and method of Naming and Admitting the Lords of the Session, was read again, with the 93 Act 6 Parliament, and the 132 Act 12 Parliament of King James VI to which it refers ; And, after much debate, a previous Question was put, namely, If the Vote of the House in relation to the Act should be stated in these terms, Approve of the Act, or Not ; or in these terms, Represent to His Majesty, or Not ? and it was carried, That the Vote should be put in the terms, Approve, or Not. Then the Question being stated, Approve of the Act, or Not ? it was carried in the Affirmative.

It was thereupon urged, as consonant and agreeable to this Vote, That the stop put to the Signet should be continued ; and accordingly it was appointed, That an Order should be drawn up for stopping the Signet, until the High Commissioner should represent to His Majesty the said Vote of Parliament, concerning the naming and admission of the Lords of Session ; and that His Majesty would be graciously pleased to declare his pleasure thereanent. A motion was made, That the Parliament might proceed to name Committees for settling the Church-Government, and to consider of the Fines and Forfaultures, etc. But in regard another motion was thereupon made by another Member, to know if any Committees could be legally named by the Parliament, until the Acts establishing the Lords of the Articles were rescinded ? The Consideration of this Point was delayed till the next Meeting. The Order for stopping the Signet was then brought in, read, and approved. The House adjourn'd till Thursday Ten a Clock.

Act anent the Furnishing Baggage-Horses to the Army,  
July 25. 1689.

*(The text of the Act, which refers particularly to making a fort at Inverlochy, is given in A.P.S. ix. 104.)*

Act for Reponing the Ministers who were Outed  
in the Year 1662.

Presented by Sir William Hamilton, July 25. 1689.

*(The Act, which was not touched with the sceptre, differs from that of April 25, 1690 in quoting the Claim of Right in the preamble and substituting October 1662 for January 1661.)*

As for what past in Parliament on Thursday last, I can send you no account of as yet, in regard that by a new Order of Parliament, all the Journals are forbid being publisht, of what had been done the day before, until they be considered of in the next Meeting; after which they may come abroad, and so come to your hands.

About the end of the last Week, the Laird of Inneray,<sup>1</sup> who had been Out-lawed about Twenty years ago, for having Murthered the Laird of Brackley,<sup>2</sup> came down from the Hills with a considerable party of Men, below the Wood of Glentanor in Marr, on the side of the River of Dee, where he burnt and destroyed the said Laird of Brackley's Houses and Land, and had done a great deal more of mischief, if the career of their violence had not been stopt by a Party of the Lord Forbes his Men that were gathered together to oppose them; who, engaging them briskly, killed some of them, and pursued the rest, until they sheltered themselves in the Mountains and Hills whence they came.

We have but a melancholly Account of Affairs from Londonderry, who, we hear, are in great difficulties; their Provisions being almost spent, and cannot hold out any longer time, without speedy Relief; with the hopes of which, their Hearts and Courage are kept up still.

Edinburgh, July 27. There is a Lieutenant and some of

<sup>1</sup> William Farquharson.

<sup>2</sup> John Gordon.

the Soldiers and Sea-men come to Town, that were made Prisoners by the French Men of War, when the two Scotch Frigats, commanded by Captain Hamilton and Captain Brown, were taken by them, and have given to some Members of the Privy-Council a full and distinct Account of that Brave Action of those two Valiant Captains, and of all the Circumstances of that Engagement. Which, because it deserves to be particularly related, and there being no room for it in this Paper, it is thought proper to publish it by it self, being one of the most Memorable and Gallant Actions that has been seen or heard of in many years. On Monday next it comes abroad.

London, August 2.

By an Express come from Edinburgh, bearing date from Holyrood-house July 29. at Six a Clock at Night, and arrived here this day, we have the following Account. That Major-General Mackay has had an Engagement with the Lord Dundee near the Blair of Athol; and that he has given Him and all his Forces a total Defeat; the Viscount of Dundee himself being killed, and several of his most considerable Officers. A great number of Prisoners of all sorts are taken, and brought to the Castle of Stirling, where they are to continue, until they be disposed into other Prisons. Major-General Mackay, Collonel Ramsay, Collonel Balfour, and the other principal Officers of their Majesties Forces, are returned safe to Stirling. By the next we expect the particulars.

Number 44.

From Saturday August 3. to Tuesday August 6.

In the Parliament, July 25. 1689.

After calling the Rolls, His Majesty's Commissioner pressed, That the Parliament might take into their Consideration the necessity of furnishing the Army with Baggage-Horses; and therefore, That the Act of Privy



Council made thereanent might be approved in Parliament ; and that an Order might be given for sending the Workmen and Pioneers for building the Fort for the Garison at Innerlochy. Whereupon the said Act of Council was read again, and the matter considered, and an Act ordered to be drawn, authorising the Lords of His Majesty's Privy-Council to appoint the Rates of Hire, and Numbers of the said Baggage-Horses, Workmen, and Pioneers ; and declaring, That the Parliament will order a Fund for defraying the said Charge during the present Exigency, in the terms of the Act ; and that the Hire of the Baggage-Horses already appointed by the Council to attend the Army, shall be taken into Consideration by the Parliament.

Interim, Ordered, That the Commissioners from the adjacent Shires, meet at Five a Clock this Afternoon, for adjusting the Proportions of the Workmen and Pioneers to be sent from the Shires to Innerlochy.

The Draught of an Act in favour of the Royal Burroughs, was given in to be read.

The Act anent the Baggage-Horses, Pioneers, and Workmen, was then read, voted, and approved.

It was thereafter moved, That the several Acts given in for setling the Church Government, might be taken into farther Consideration, and a new Draught of an Act presented by the Laird of Cultness<sup>1</sup> to the same purpose ; with another by Sir William Hamilton ; which were both read : And then the Act formerly given in by the Laird of Anstruther,<sup>2</sup> with the other now given in by Sir William Hamilton, were ordered to be again read. Which being done, the Vote was asked, If the First of these two Acts, or the Second, should be taken into Consideration ? And carried for the Second.

Ordered, That the said Act shall be the first thing considered at the next Meeting ; and that the Case of the Ministers who were put from their Benefices for not taking the Test in the year 1681, be considered in the second place.

The Act for reducing the Fines and Forfaultures was

<sup>1</sup> Thomas Stewart of Coltness.

<sup>2</sup> William Anstruther younger of Anstruther.

again read, and ordered to be considered in the third place at the next Meeting.

Adjourned till Monday next at Ten a Clock.

On Monday there pass'd an Act for raising all the Fencible Men and Heretors, to come to Their Majesties Host, with 40 days Provisions; which shall be inserted in the next Journal.

Act Restoring Presbytery.

Presented by Cultness, July 25. 1689.

*(The Act, after referring to the Claim of Right and to the Act abolishing Prelacy, ratifies the Act of 1592 for Presbyterian government of the Church, restores ministers deprived since 1662 with right to stipends from Whitsunday last, requires trial and sentence of those who have not disowned King James and deprives the Conform Ministers in the shires of the West. It goes on to abolish patronage of Churches, reserving teinds to the patrons subject to ministers' stipends, and suspends all Conform Ministers who entered under prelacy now abolished from the exercise of any part of the Presbyterian government, while allowing them to exercise their pastoral charge until further order.)*

Edinburgh, July 31. I am afraid that the Account I sent you in my last, may have led you into the mistake I was then guilty of my self, which was occasioned by the various and different reports that were then made of the late Engagement, especially as to that of a Total defeat of all Dundee's Forces: For it was a very hard matter to avoid being mistaken then; for the Information we had that day, was generally received and believed to be so, until it was contradicted by more credible and particular Relations: for on Sunday last, when the first News came to Town, a very dismal story was told of Major General Mackay's being killed, all the chief Officers and Soldiers being either slain or made Prisoners by the Enemy. Next day, the same report continued; and Tuesday it was the prevailing News, That Lord Dundee, Lord Dumfermling were killed, his Army totally defeated, and about 2000 of them slain. But, since the Privy-Council has had a more particular

and distinct account of this Action from the Major General himself, who was at Stirling Monday night last, and from several Officers of the Army, that are come to Town, I shall not be so liable to be mistaken in what I tell you now, as I was then; which in short was thus: Major-General Mackay being resolved to go and find out Dundee as far as Lochaber, was persuaded to march through the County of Athol; and that for two Reasons; the one was, To join a Body of 1500 Athol-men, that he was made believe would appear for him as soon as he came into that Countrey; and the other, To take in the Castle of Blair, where one Stuart of Bellaghen had put a Garison of Athol-men for Dundee. On Saturday the 27th he march'd about 16 miles, and got through a narrow Pass, where hardly 3 or 4 Men could go a-breast: He had not march'd long, before intimation was brought him of the Viscount of Dundee's being near at hand, ready to engage him, about two miles from Blair-Castle; whereupon he drew up his Men in Battalia, having betwixt 3 and 4000 Foot, 2 Troops of Horse, and 2 of Dragoons: The Rebels were about 6000 Foot and 100 Horse, The Fight began about 4 or 5 in the afternoon, and lasted till near night: It was very stoutly fought on both sides for some time; but some of the Maj. Gen.'s Regiments giving way, being overpower'd by the Enemy, part of his Forces were put into disorder; which obliged him to draw off, and to retire towards Stirling, where he arrived on Monday-night, with a Body of 1500 Men in good order. In this Action none behaved themselves with more Gallantry, Courage and Resolution, than the Officers and Soldiers of the Earl of Levins, (tho most of them new-raisd Men) and Coll. Hasting's Regiments, keeping their ground to the last. It is not certainly known what number of Men is lost on both sides; only on ours, of Officers of Note, Coll. Balfour and Lieut. Coll. Mackay are missing. We have certain Information, That Viscount Dundee is killed. We have these following Reasons to induce us to believe that there was Treachery in this matter from the Athol-men: 1. That of the 1500 Men of that Countrey that were to have join'd the Maj.

Gen. not above 60 came. 2. Of those few that came, some of them were sent out to bring Intelligence of the Enemies Motions; and, instead of doing that, went and carried Intelligence of all the Maj. Gen.'s Steps, Motions, and Marches to the Enemy. 3. That they made it to be believed in our Army, That Dundee was at a great distance, and would not venture to come, with the few Forces he had, to look ours in the face. 4. By the driving of all their Cattel away, that our Men might receive no Relief, Refreshment, or Subsistence from them. And 5. By falling upon our Men where-ever they found them dispersed, and endeavouring all they could to hinder their Retreat through the narrow Pass. All which is confidently laid to their Charge by all people here.

August 1. We have the Certainty of the Report of the Lord Dundee's being kill'd, confirm'd to us by several persons come this day to Town; who further say, That he was buried on Monday last at Blair-Castle; and the Express that goes this night to His Majesty will carry this News also. Lord Belhaven and Lord Kenmure behaved themselves very bravely.

#### Number 45.

From Tuesday August 6. to Saturday August 10.

In the Parliament, July 29. 1689.

After calling the Rolls, William Betty, Commissioner from the Burgh of Inverbervy, swore, and subscribed the Oath of Allegiance, and took the Oath of Parliament.

His Majesty's Commissioner acquainted the Estates, That the Privy-Council had ordered the Forces under the Command of the Earl of Argyle, and called a Regiment of Dragoons from the North of England, with Sir John Lanier's Regiment of Horse from Kelso, to come immediately to Stirling; and had given Orders to the Commanders of the Fencible Men in the Western-Shires, to muster, and have their Men ready to march on the first Advertisement.

And likewise, That they had given Warrant to bring over all the Passage-Boats on the Frith, to the Louthian-side, excepting single Boats at the respective Ports for transporting of Passengers. And proposed, That they might consider what farther was fit to be done for Suppressing the Rebels under the Command of the Viscount of Dundee, and Securing the Peace of the Kingdom in the present Juncture. Whereupon an Act was ordered to be drawn, authorising the Lords of His Majesty's Privy Council to call together the Heretors and Fencible Men within the Kingdom, with their best Horse and Arms; or such numbers of them, and from such places, as they shall think fit, with forty days Provision; and to administrat the Oath of Allegiance to such persons as they please; and to seize the Horses of such as they find disaffected; and the Act to continue only during the present Exigence. Which being read, it was put to the Vote, and approvén. And then adjourned till Wednesday next at Ten a Clock.

Act Authorising the Council to call out the Heretors  
and Fencible Men, etc.

*(The text of the Act is given in A.P.S. ix. 105.)*

July 31. After calling the Rolls, His Majesty's Commissioner acquainted the Estates, That by a Letter from Major-General Mackay, who was now at Stirling, he understood the loss by the last Engagement with the Rebels, to be far less than it was at first reported; and that he had received Information from those places, That the Viscount of Dundee was killed in the Fight; so as the greater Disadvantage remained of their side: And gave in a Letter, directed by one of their Officers to the Magistrates of Pearth, to secure some Meal at that Town for their use; which was read.

Then the Estates proceeded to the farther Consideration of the Acts given in for Setling the Government of the Church; and the Act formerly presented by Sir William Hamilton, For Reponing the Ministers Deprived for not Conforming to Prelacy, since the first of January 1661, was again given in by him, with Amendments, and read;

and, after some farther Amendments, put to the Vote, and approvén.

A Petition was offered to be considered by the Estates, presented by His Majesty's Commissioner and the Estates, in behalf of the Ministers who were Deprived in the year 1681, for not taking the Test; craving, They might be Reponed to their Churches, upon their due submission to the Government; which was read. And the Act formerly presented by the Laird of Anstruther, given in again by him, and read, with some Amendments: But the Act was ordered to be transcribed in the terms of the said Petition.

Interim, A Petition was given in for the Laird of Saltown, craving, The Books of Adjournal might be exhibited, and Witnesses cited, in order to reduce the Sentence of Forfaulture pass'd against the Petitioner; which was read, and granted.

The Act in favour of the Royal Burroughs was then read.

An Act offered by His Majesty's Commissioner, for a new supply of 567000 l. to be raised from the Shires and Burroughs at Martimes next, was read; then the Act reponing the Ministers, deprived in the year 1681. was again read; but the farther consideration thereof adjourned till next meeting.

An Act was given in to be read, for reducing the Forfaulture of the late Earl of Argyle, which His Majesty's Commissioner desired to see against the next Meeting. Ordered, That before any other Matters, the said Act for restoring the Ministers deprived in the year 1681. for not taking the Test, be considered in the first place; the said Act anent the Supply, in the second place: and the Forfaultures, in the third place.

Adjourned then till Ten a Clock to morrow.

Draught of an Act for Restoring the Outed Ministers to their Churches and Benefices.

Presented by the Laird of Anstruther.

*(The Act, after referring to the Claim of Right and the expulsion of ministers in and since 1662 for not accepting presentations and in 1681 for not taking the test, restores them*

*to their benefices on condition of reading the proclamation of April 13 against owning King James and praying for King William and Queen Mary.)*

Aug 3. Since my last, I have these following particulars to acquaint you with, That though you have been much alarm'd, as well as we our selves, with the account you may have received of the late Fight with the Rebels in Athol: yet I can assure you that the business is not near so bad as you were made believe; for there were more of the Enemies killed than of ours; Maj. Gen. Mackay having kept the Field some hours after the Fight, with Three Battalions: And the Ld. Dundee not outliving the wounds he received in that Action, four hours, tho he was in Armour. The Rebels are endeavouring to get to Dunkel, the Athol-Men having joyned them, so that they may make about 3 or 4000 Men in all. There is a great contest amongst the Chief Officers, Who shall Command; The Earl of Dumfermling pretending that his Quality entitles him; and Coll. Cannon alledges, That his Character and Skill in Military Affairs, is a sufficient ground for him to lay claim to it: But however the matter is not yet determin'd. On Wednesday last Maj. Gen. Mackay Marched towards them with 2000 Foot, and 700 Horse and Dragoons; and on Thursday there follow'd him 2000 Foot more, and 300 Horse; and the Earl of Argyle is marching to joyn him at St. Johnstown, with 3000 Foot of the standing Forces, 2000 of his own Men, and 300 Horse, besides that Party that Coll. Levingston Commands at Inverness. But before the Conjunction of these Forces, M.G. Mackay having notice, That a detached Party of the Rebels, to the number of 5 or 600 Horse, Foot, and Dragoons, had a design to fall upon St. Johnstown, and Surprise the Stores and Provisions that lay there for His Majesty's Forces, march'd out from Stirling, with a Party of Horse and Dragoons, and happen'd to meet them not far from St. Johnstown, where he charged them so vigorously, that he presently put them to the flight, most of them are kill'd, or taken Prisoners, and of the latter, Capt. Hacket,

who Commanded the Party of the Rebels, is one. We are also assured, That Coll. Balfour is alive, and a Prisoner in their hands. The Determination of the debate about Commanding in chief, now that the Viscount of Dundee is dead and buried, is referr'd to the late King; the Earl of Dumfermling, and Collonel Cannon having sent to him for their Commission.

On Thursday last His Majesty's Commissioner communicated to the House a Letter he had received from M. G. Kirk, giving an Account of what he had done for the Relief of Londonderry; and that the Ships with Provision had got safely into the Town. His Grace did also produce Mr. Walker, the Governour of Londonderry's Letter to M. G. Kirk, representing the dismal Condition of the Town, the Extremities to which the want of ordinary Provisions had reduc'd them, and the great Mortality that Famine had brought upon them. Then was read the Copy of the Denunciation sent by M. G. Kirk to the Commander in Chief of the Irish Army before Londonderry, declaring, That whatever Cruelty or barbarous Usage should be used upon the Protestants in their Power, or who by their Force and Violence were driven to the Walls of Londonderry, should be retaliate upon the Papists that were Prisoners in their hands, and upon those that should fall under his Power in Ireland. Then the Commissioner acquainted the House with the certain Information he had receiv'd of Dundee's being dead, both from the Prisoners that were taken, and from others who had assisted at his Funeral.

#### Number 46.

From Saturday August 10. to Tuesday August 13.

In the Parliament, August 1. 1689.

After calling the Rolls, the President gave in a Proposal in writing from the Lords of His Majesty's Privy-Council, in what manner legal diligence should be carried on against



the Viscount of Dundee, the Earl of Dumfermling, and their Complices; and what course should be taken with those who intercepted, and killed, wounded, or plunder'd Their Majesties Soldiers, in their Retreat from the late Fight in Athol against the Rebels; with a List of persons guilty of these Crimes. And, after consideration thereof, a Warrant was ordered to be drawn for His Majesty's Advocate to raise Indictments of High-Treason against the said Viscount and his said Complices, and the persons in the List, and any others who shall be delated to have been guilty of the saids Crimes, to under-ly the Law for the same: And that it be sufficient to give the Citations at the Mercat-Crosses of the Head Burghs of those Shires where the respective Criminals have their dwellings: And, in case there be not *tutus accessus*, that the Citations be at the Head Burghs of the Shires next adjacent. Which Warrant was read, voted, and approv'n.

The Act for Restoring the Ministers who were Deprived for not taking the Test in *Anno* 1681. was offered to be considered; but delay'd.

The Act for rescinding the Earl of Argyle's Forfaulture was read and considered, and the Address of the Parliament 1685. against the late Earl, was read, with the Act of the Parliament rescinding the said Address; and the Books of Adjournal being brought into the House, the Libel upon which the Forfaulture followed was read therein; the Interloquiter of the Justices anent the Relievancy, and the Verdict of the Assize anent the Probation; the Explanation of the Test, given in by the said late Earl, recorded in the saids Books; with the Doom of Forfaulture that pass'd thereupon. And the Act being agreed to, the Earl of Errol, Lord High-Constable, protested, That the Restoration of the present Earl of Argyle, against the said Sentence of Forfaulture, might be with the burden of the Just Debts of the said late Earl. After which, the Act was put to the Vote, and approv'n.

His Majesty's Commissioner desired the Act authorising the Council to call the Heretors and Fencible Men, and the Warrant to His Majesty's Advocate for Indictments

against the Rebels, with the Act for Restoring the Earl of Argyle, to be presented to be touched with the Scepter; which was done.

The Witnesses adduced by the Laird of Saltown continued.

Ordered, That the Act anent the Supply be considered in the first place, and the Act in favour of the Royal Burghs in the second place, at the next Meeting.

Adjourned then till Ten a Clock to morrow.

August 2. After calling the Rolls, the Act anent the Supply to be given to His Majesty was again read; and it was agreed to without a Vote, That the Proportions of the Shires and Burghs should be exacted, conform to the Act of Convention in the year 1678. And that the equal half thereof, being four Months Cess, should be raised at Martinmas next, and the other half at Whitsunday thereafter.

An Overture was then made, That the Parliament should first take into their consideration, If there was a present necessity for granting a Supply? And next, In what manner, and from what Fund, the necessary Quota is necessary to be presently granted? And, after long debate upon the first Point, the Vote was at length stated, If four months Cess should be presently granted, or not? And carried, That the granting of four months Cess should be delayed.

Then His Majesty's Commissioner gave in an Act, *Salvo Jure cujuslibet*; which was read, and touched with the Scepter.

And thereafter gave in an Act of Adjournment to the 8th day of October next, etc. which was read, and the Parliament adjourned accordingly.

Warrant for Indictment against the Viscount of Dundee,  
and the Earl of Dumfermling.

The King and Queens Majesties, and the Estates of Parliament, Do grant Warrant to His Majesty's Advocate, to raise an Indictment of High Treason before the Parliament, against the Viscount of Dundee, the Earl of Dum-

fermling, and other persons who are in open Rebellion against Their Majesties: And likewise against all such persons as intercepted any of His Majesty's Forces under the Command of General Major Mackay in their Retreat, and killed, wounded, or robbed them of their Cloaths, Horses or Arms. And declares, That a Citation against the saids persons at the Mercat-Cross of the head Burgh of the Shire where they dwell; or, in case there be not *tutus accessus* thereto, at the Mercat-Cross of the head Burgh of the next adjacent Shire, shall be sufficient.

Act Rescinding the Forfaulture of the late Earl of Argyle, and Restoring this Earl of Argyle. August 1. 1689.

(*The text of the Act is given in A.P.S. ix. 105-6.*)

August 6. The Rebels continue as yet in the Mountainous Countrey, not thinking it fit to venture down into the Low-lands. The Laird of Locheale, who is Head of the Camerons, has not yet gone in to them. Some say, That the Earl of Dumfermling is to command in Chief; Others, That Collonel Cannon has had that Honour conferr'd upon him: but as yet there is no certainty how it is disposed of, the matter being referr'd to the late King's determination.

The Privy-Council has publish'd a Proclamation, forbidding all sorts of persons to hinder, disturb, or molest any of the Clergy, either Conforming or otherwise, in the peaceable and regular Exercise of their Function, and discharging any violence or affronts to be offer'd to them, whether they be Episcopal or Presbyterian, or Preach in Churches or in Conventicles; providing always they pray in their Publick Prayers for King William and Queen Mary. There is a strong Garison put into the Town of Dundee, that may secure it from any Attempt or Excursion the Rebels may be inclined to make upon it. We are credibly inform'd, That the Lords Levinston, Callendar and Duffus, are march'd towards, and joyn'd the Rebels; but of this we expect to be more particularly assured, before we can give certain credit to it.

## Advertisement.

*Now that the Parliament is Prorogued to the 8th of October, and that there are no more Journals of this Nature to be expected from thence, until they meet again: This is to acquaint all Persons, who have hitherto been Entertain'd with what has past in Scotland, during the Sitting of the Parliament, That henceforward they shall have several Draughts of Acts, several Petitions presented to the Parliament, in order to the Settling of Matters; as also, several Acts of Council, Tryals, Examinations and Confessions of Those who have been found Guilty of the late Conspiracy, and other Papers that could not be conveniently inserted in the formal Journals. With a true account of what Progress shall be made, as well for the Settlement of the Nation, as for the Suppression of the Rebels now in Arms Against the Government.*

Number 47.

A

CONTINUATION of the PROCEEDINGS  
OF THE  
Parliament in Scotland,  
During Their late SITTING ;

And of other AFFAIRS Relating to That KINGDOM

From Tuesday August 13. to Saturday August 17.

Depositions of Witnesses Sworn and Examined at Culnakeyle, the 8th of June, 89, by order of Major-General Mackay, himself being present ; before Collonel Berkley, Sir James Leslie, Lieutenant-Collonel Levingstoun, Collonel Boughan, Lieutenant Hanly, and Captain Morton.

James Mackmullen, one of Lieutenant Collonel Levingstoun's Troop of Dragoons, being Sworn and Examined, Deponeth, and saith, That he hath seen Serjeant Provincial come to the Lord Dundee's Camp June 1. accompanied by another Dragoon of the same Regiment, as he supposes, where he saw the said Serjeant discourse privately and separate from other Company, with the said Lord ; and farther cannot Depone.

John Connell, one of Captain Belford's Troop of Dragoons of the said Regiment, being Sworn and Examined, Deponeth and saith, That on Saturday being the 1st of June, the aforesaid Serjeant-Provincial hath taken him, with some others along with him, pretty near towards the Enemies Camp ; and not finding the Lord Dundee with his Forces

at that place, returned back again to the Regiment, and about two hours after went again, accompanied by this Deponent: and that half a Mile off the Lord Dundee's Camp, the said Serjeant left this Deponent, with Order to expect his return, and went himself alone towards the Enemies Camp, returning back in half a space of an hour, pretending to him, that he had been taken by the Rabble of the said Camp. And farther deposeth, That Lieutenant Murray, then Commanding the Advancing Guard at the Ford of the River, Ordered the Deponent to accompany the said Serjeant to the place, where, he supposes, the said Lieutenant had Commanded him. And this Deponent farther depones, That on Tuesday the 4th Instant, at a Pass where Major General Mackay had made a Halt, Captain Murray, and Lieutenant Murray, of Captain Belford's Troop both, of the Scotch Regiment of Dragoons, spoke to the Deponent, desiring that he would go with a Message from them to the Lord Dundee; to which the Deponent made several Objections, as, That his Horse was not able to carry him thither and back again; And that he had no Money to drink by the way. Upon which, Lieutenant Murray got 1 l. 2 d. from Captain Murray, and gave it this Depoant both of them charging him to tell the Lord Dundee, That if he had come up in time, upon the Reer of Major-General Mackay the Night before, they believed he should have had the most part of the Regiment of Scottish Dragoons on his side; and they believed it to have had been his best measures. Whereupon the said Deponent went to the said Lord Dundee, whom he found Incamped at a place called Edenglasse, about six Miles from the Pass from whence he was sent back by the afore-said two Officers to the said Lord Dundee, having further in Commission, to inquire of the strength of the said Lord's Forces. To all which, The Lord Dundee returned them answer, as followeth: That he would come up as soon as possible to Fight; and that he expected the next day about Twelve a Clock, above 100 Men to joyn him out of Straboggy and thereabout. And further cannot depone; only, That when he was sent by the Two Officers afore-

said, they told him, If that his Horse could not bring him back again to the Regiment, he might stay with Dundee. To which he replied, He would not hazard Hanging by staying from the Regiment; but would come back either on Foot or Horse. And the said Officers told him, It would be the best way for him to be preferred by the Lord Dundee to a better Post than that of a Dragoon.

George Lenn, Dragoon in Lieutenant Collonel Levingstown's Troop, being Sworn and Examined, saith, That on Tuesday at Night, about 12 a Clock June the 4th, when Major-General Mackay began his March towards the Lord Dundee's Camp, one Captain-Lieutenant Creychtown, of the Regiment of the Scotch Dragoons, came to him, desiring him to go in all diligence to advertise the Lord Dundee of the said Major General's Marching towards him; and to inform him, That the said Major-General was reinforced out of the South with fresh Forces. Upon which, the Deponent went to the Lord Dundee's Camp, and delivered his Commission as aforesaid; And that the said Lord Dundee had enquired him of what number Major-General Mackay's Forces consisted of? And what they were? And whether Ramsay had joyned him? And farther cannot depone.

*Sic subscribitur,*

J. Berkley.	Jo. Buchan.
T. Levingstown.	Fra. Hanly.
James Leslie.	M. Morton.

Memorandum, That John Connell hath declared, in the presence of the aforementioned Officers, That he hath mistaken Captain Murray for Captain Levingstown, whom he affirms to be the person who, together with Lieutenant Murray, hath spoken to him as he hath formerly depone.

*Sic subscribitur,*

J. Berkley,	Jo. Buchan,
T. Livingstown,	Fra. Hanley,
James Leslie,	M. Morton.

Edinburgh July 17. 1689.

In presence of Major-General Mackay, Major-General Lanier, Collonel Balfour, and Lieutenant-Collonel Buchan.

Follows the Depositions of the Witness adduced for proving the Desertion of the Officers and Soldiers of the Scots Regiment of Dragoons, commanded by Collonel Levingstown, taken in the High-Town Council-House of Edinburgh.

James Brisbane, one of the Gentlemen riding in my Lord Dundee's Troop, being solemnly sworn, and examined as follows, Depones, That he heard my Lord Dundee and Patrick Adam (who was the Post that carried the Letters from my Lord Dundee to his Lady, and from my Lady to my Lord Dundee back again) at several times both express at Baddenoch, That they were sure that Captain James Murrey, Captain John Levingstown, and John Cretchtown Captain-Lieutenant, all of Collonel Levingstown's Regiment of Dragoons, would be for the Interest of King James; and that, when time served, they would join with my Lord Dundee to that effect. Depones, That he heard at several times Major Graham, and James Graham, my Lord Dundee's Brother, express the same words. Farther depones, That Dundee's Lady wrote to him, That the said Officers had been several times treated by my Lady Dundee, and drank K. James's Health, and promised to join my Lord Dundee whenever occasion should offer. Depones, He did see the said Letter in my Lord Dundee's hands, and heard him express these words, and several other expressions of Assurance of that nature. Depones, That the Deponent being carried Prisoner to Elgine, Robert Levingstown, Dragoon in Lieutenant-Collonel Levingstown's Troop, came into the Prison where the Deponent was, and said to Captain Bruce's Man, who also was a Prisoner, That he was a Rogue and a Rascal to have discovered these Officers. And depones, That the said Robert Levingstown, and Lieutenant-Collonel Levingstown's Groom, named Robert Fraser, said, That they hop'd to see the said Lieutenant-Collonel Levingstown Collonel of the said Regiment of Dragoons over General-Major Mackay's Belly. Depones, That on the Deponent's coming Prisoner to Elgine, he heard Serjeant Provincial



say, That he hop'd to see General-Major Mackay's Head carried up the Streets of Edinburgh, and set up as Argyle's was. Declares farther, That the Regiment of Dragoons, before they came from England, in a mutinous humour having exprest themselves, That they would not serve longer, since their Master was gone ; that he heard Captain James Murray say, What ails you, Gentlemen ? Stick by Me, and I will stick by You ; for he wished he might run his Sword through his own heart, if ever he would desire any of them to draw his Sword against K. James : And that the Deponent, and other three Serjeants that came out of Collonel Collier's Regiment, were present when Captain Murray did utter these expressions ; And that these Serjeants Names are, Serjeant Petrie, now living at Strathboggy ; Serjeant Chesnat, a Stirling-man, now with the Viscount of Dundee ; and Serjeant Caddel, also with Dundee. And this he declares to be of Truth, as he shall answer to God. And farther declares, That he gave an Account in writing to my Lord Commissioner His Grace, of the Nobility and Gentry within this Kingdom that were conversing, and were to be assisting to my Lord Dundee. Depones farther, That he heard my Lord Dundee several times express, That he was afraid that Lieutenant-Collonel Levingstown would prove false to King James.

*Sic subscribitur,*

Brisbane.

Alexander Monro, who also did ride with my Lord Dundee into the North, compearing personally, and being solemnly sworn, depones conform to James Brisbane, *in omnibus*, except that he was not present in England when the Regiment of Dragoons mutinied, or when Captain Murray spoke the words exprest in James Brisbane's Depositions. Depones, He heard my Lord Dundee at several times say, That he was afraid that Lieutenant-Collonel Levingstown would prove false to King James. And this is the Truth, as he shall answer to God.

*a. m.*

This is the Mark and Hand-writing of the  
said Alexander Monro.

*Sic subscribitur,*

Alex. Monro.

August 10. On Tuesday last, War was solemnly declared against France, in the usual Formalities, and the Reasons for their so doing, are contained in the Proclamation it self at large, which shall be Publisht in the next Journal. This has encouraged many to fit themselves to go out a Privateering.

We have daily, certain Information brought us, That in the late Fight, near the Blair of Athol, the Rebels lost more men by much than we did, we having kept the Field several hours after they quitted it: Who besides the loss of Dundee their General, several considerable Gentlemen, and heads of Clans, there was slain of common Soldiers, betwixt 7 or 800; and on our side, about 3 or 400 Soldiers were slain; and of Officers, Collonel Balfour, and Lieutenant Collonel Mackay, who, whether they are taken Prisoners, or were killed on the place, is not yet certain; the rest that were missing, having since repaired to the King's Host at St. Johnston, where Major General Mackay has set up and displayed the Royal Standart, having about 10000. effective men in his Army, of Horse, Foot and Dragoons.

The Rebels, not thinking it safe to venture down from the Hills in any Body, content themselves with sending out several Parties, to force Provisions from the Countrey; three whereof have been intercepted and defeated by detached Parties of His Majesty's Forces: In one 40 of the Rebels were kill'd and taken, in the other about 30, and in the last about 50 were destroy'd.

There is a Report come to Town, That the Lord Levingston, who, with the Lords Callender and Duffus, went to join the Rebels, is taken by a Party of Major-General Mackay's Men; and that the Rebels are endeavouring to get to the Hills of Bramure,<sup>1</sup> in hopes of being re-inforced with some disaffected Persons that they believe are about Aberdeen; but a Party of Horse and Dragoons is detach'd from the Army, to watch their motions that way.

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<sup>1</sup> Braemar.

Number 48.

From Saturday August 17. to Tuesday August 20.

A Proclamation

Discharging Persons to go off the Country.

At Edinburgh, the 3d of August, 1689.

*(The Proclamation in view of the present rebellion and the prospect of a foreign invasion forbids any employed in public trust to leave the Kingdom without special permission. Summarised in Crawford No. 2833.)*

Draught of an Act of Parliament, in Favours of the Royal Burroughs, Burghs of Regalities and Barronies. Presented to the Parliament, August 1. and mentioned in the former Journal. 1689.

*(The terms of this draft are essentially the same as those of the Act of June 14, 1690, given in A.P.S. ix. 152-3.)*

Petition of the Ministers who were laid aside for refusing the Test; presented to the Parliament, July 31. and mentioned in the Journal, Numb. 45.

Unto His Grace the Duke of Hamilton, His Majesties High-Commissioner, and the Right Honourable the Members of the High Court of Parliament. The Supplication of the Ministers laid aside, for not taking the Test, since August, 1681.

Humbly sheweth,

Forasmuch as the Meeting of the Estates, by the Claim of Right, dated April 11. last, for vindicating and asserting their Ancient Rights and Privileges, amongst other things did declare, That the loss of Offices should be considered, and the Parties leised, restored. And seeing there are several Ministers that were put out of their Churches and Benefices, since *Anno* 1681. for not taking the Test, who ought to be restored; and the just and natural way to

repair these Ministers, and Redress them of the said Loss and Prejudice they have sustained, being to restore them again to their Churches and Benefices. And seeing an Act has been already offered to your Grace, and the Estates of Parliament, in our Favours; And we being willing to testify our Submission to the Government of the State, by Praying for King William and Queen Mary, and to joyn and concur with the Presbyterian Government, as for all other ends of Government, so for purging the Church of all scandalous, insufficient, and erroneous Ministers, and owning the Doctrine of the Reformed Church of Scotland; and it being well known that we were never for any Severities against the Presbyterians, but rather by our interceding and appearing publickly in Judicatories for Moderation towards them, We were lookt upon with a jealous Eye; and also by our testifying in our Stations, both publickly and privately, against the Abuses of the late Government, We did procure great obstruction to our obtaining the benefit of the late Indulgence; so that having suffered under the former Government, it will be hard if at this time our Sufferings be continued.

Therefore it is humbly craved, That your Grace, and the Estates of Parliament would be graciously pleased to Repone and Restore your Petitioners to the Churches and Benefices from which they were thrust out in *Anno* 1681. for refusing the Test.

And your Petitioners shall every pray.

Edinburgh, August 14. 1689.

Since my last, I have this memorable Adventure, and Heroick Action of the men of Inniskilling, to acquaint you with; for last night came to Town the Ragged Boy that the Governor of Londonderry had sent over hither in May last, to acquaint the Convention of Estates then, with the state and circumstances of that important place; who upon enquiry and experience, was thought fit to be recommended back again to Major Gen. Kirk, to be made use of by him in carrying Intelligence from him to the Town of Derry, and back again from them to him. The

account he brings the Council, is, That on Friday before, Mr. Walker, the Governour of Londonderry, and he, had left that place, where Major-General Kirk, and the Forces under his Command were Encamped near the Wind-mill-Hill; That the Enemy upon the Information they had received of the Town, being relieved and refreshed with Provisions, had Decamped, and in their retreat, had been fallen on by the Men of Inniskilling, who had killed about 3000 of them, and took several considerable and eminent Officers Prisoners. That before the Town happened to be Relieved, the Inhabitants were reduced to the utmost extremity of want, having made an end almost of all the Provisions, and eatable things they had, very little of Horse flesh, few Dogs and Cats remaining; and could not hold out above two Days longer. That the next morning after, the said Boy got in, and gave the Governor intelligence from Major-General Kirk, assuring him, that he was coming with all imaginable hast to the relief of the Town. Hardly had the Boy given this account to his Grace the Duke of Hamilton, when Mr. Walker himself, the brave and worthy Governor of Londonderry comes, and gives His Grace the full and particular Account of what had passed, both during the Siege, and in the late Action of the Iniskilling men; who gathering together, to the number of 1200 Foot and 800 Horse, under the Command of one Lieut.-Col. Owsley and Lieut. Col Tiffany, sent them from Major Gen. Kirk, had fallen upon a Body of between 7 and 8000 of the Enemy, commanded by Lieutenant-General Mackarty and Lieutenant-General Hamilton, had entirely routed and defeated them; taking the two Lieutenant Generals Prisoners (the first of them being very dangerously wounded) and about 60 Officers, with all their Baggage, Provisions, Arms and Ammunition, and pursued them near 16 miles. There were of the Enemy killed about 3000, and of Ours not above 22 slain, and 40 wounded. In their March, they meant to have attack'd Collonel Sarsfield, who was posted with a considerable Party to secure a Pass: but they no sooner saw our victorious Men appear, but they all ran away.

Major-General Mackay is at Aberdeen; where he observes the Motions of the Rebels, having secured all that Countrey round about from their Incursions and Insolencies. We hear of no more Persons of any Rank that are gone in to them; neither have we any certainty of those three Lords, mentioned in my former, being join'd them, but have reason to believe that they are rather retired to live somewhere privately, till these Troubles be over.

Number 49.

From Tuesday August 20. to Saturday August 24.

Petition of the Commissioners, from the Ministers within the Diocess of Aberdeen. Mentioned in the Journal, Number 36. July 2d. 1689.

To his Grace the Duke of Hamilton, His Majesty's High Commissioner to the High Court of Parliament.

The Petition of Mr. James Gordon, Minister at Banchry, and Mr. John Barclay, Minister at Cruden, Humbly sheweth,

That the Petitioners having received a Commission from their Brethren, the Ministers within the Diocess of Aberdeen, to repair to this place, and by an Humble Address, to lay before your Grace and the Honourable Estates of Parliament, the deep sence which they have of the sad and divided state of this National Church, and to supplicate, that some effectual Remedies may be applied; It is most humbly represented, That as the Ministers within the aforesaid Diocess, did give, in the late Times, their free Testimony against Popery, and have now generally concurred in rendering Thanks to the Divine Majesty, for putting so seasonable a stop to the Designs of that Antichristian Party, and in praying for His present Majesty King William, the great Instrument of their deliverance: So they are earnestly desirous of an Union with all their

Protestant Brethren, who differ from them only in Matters of Church-Government; not doubting, but that if both sides would mutually lay aside their unchristian heats and animosities, they might be so reconciled, as to serve the Lord with one heart and consent, and to tolerate one another in those things wherein they may still differ. And seeing it hath been heretofore the practise of all Christian Churches to meet in National Synods, for rectifying disorders, removing scandals, and healing such breaches as have at any time arisen therein; and that now an hearty agreement among Protestants, and a joyning against the common Enemy, seems to be more than ever necessary, when so great designs are a framing against them, and when they have to do with so powerful and implacable Enemies: Therefore (if this may be acceptable as a seasonable Expedient in this conjuncture the Petitioners do for themselves, and in name of their Brethren by whom they are deputed, offer their humble supplication to your Grace, as His Majesties High Commissioner, and to this High Court of Parliament, That a Full and Free General Assembly (which they have now of a long time wished to obtain) may be called, when and where the King's Majesty, with advice of the Estates of Parliament shall think fit; and in order to the prosperous success of this Assembly towards so great and good a design, They humbly move, if it may seem good, That previously some Learned and Moderate Ministers of the differing persuasions in relation to Church Government, may be appointed to meet and concert the matters in controversy, and to propose overtures of Accommodation, and such as may tend to the Unity and Peace of the Church: To which the Ministers of the foresaid Diocess will give their hearty concurrence, and will be ready to testify how sincerely they desire that the Terms of Communion among Protestants may not be straitned; and that nothing may be imposed on either hand which may be heavy to the Consciences of any of the Ministers, or bring any dishonourable reflection on their Holy Calling. And thus the Petitioners and their Constituents having hereby exonerated themselves,

they have reason to hope, That this humble offer being favourably construed and accepted, may, by the blessing of God, be a means of preserving the Protestant Interest in this Kingdom ; and of preventing those divisions, which otherwise may happen in this Church.

May it then please your Grace, and the Estates of Parliament, seriously to consider the premises, and to grant such a favourable answer to this humble Petition, as in your great Wisdom shall be thought fit.

And your Petitioners shall ever pray.

*Sic subscribitur,*

James Gordon.

Jo. Barclay.

Edinburgh Aug. 15. This day Mr. Walker, the Brave and Worthy Governour of Londonderry, went from hence, taking Post for Chester, thinking to meet with the Duke of Schomberg before he leaves that place and embarques for Ireland ; and, in case he miss'd of His Grace there, to take Post for London. Yesterday the Town of Edinburgh gave him a publick Entertainment, and made him a Burgess of this City ; and this morning he made a Visit to the Duke of Queensberry, who received him with all possible demonstration of Civility and Esteem : Where-ever he appears, all persons do no less admire his Modesty now, than they did before his Courage, Conduct, and Success, in the Preservation of Londonderry. Amongst other matters of Discourse, wherewith he was pleased sometimes to entertain the Company he was engag'd in, it was great satisfaction to us to hear him say, That the Reduction of Ireland would not be a Work of much Labour, Difficulty, or Time ; for that the Irish Army was in no good condition to oppose His Majesty's Forces designed for that Expedition ; and that there needed but few Men to go over, if those who were willing and ready to serve there, were well Arm'd and Commanded ; and that 2000 Horse from England will be as much as is needful to be sent over.

Major-General Mackay continues at Aberdeen, and the Rebels in the Hills.



It's reported now, That the Lords Levingston, Callendar, and Duffus, are not gone in to, or join'd the Rebels, as was given out at their first disappearing, but are retired to my Lord Bradalbin's House in the Countrey for a time.

By Letters from Inverness of the 7th instant, we have an Account of the great Consternation the People in the North were in upon the News of the Engagement betwixt Major-General Mackay and Dundee's Forces in Athol ; it having been reported there, That all the King's Army had been totally defeated, and the Officers kill'd, or taken Prisoners : Yet the Lord Strathnaver, the Lairds of Grant, Belnagown and Fowlis, had gathered together all their Friends and Followers, and join'd the old Troops that were at Inverness, and were resolved to stand upon their Guard, and secure all that Countrey to the utmost of their Power ; And that the Lord Strathnaver hearing, That one of the Rebels, call'd Grant of Glenmoristown, had come with some Followers to his own House, went with a detatch'd Party from Inverness the day before, thinking to surprize Him, and the other Rebels that were with him ; but he having notice given him of the Design, by some of his Friends of the Name of Grant, who had not join'd with their Chief against the Rebels, made his Escape, and strengthened himself, by some that came in to him, in an inaccessible place ; which made it impossible for the Lord Strathnaver to attack him then, with the few Forces he had, and so has sent for more, and in the mean time has demolish'd his House, which was pretty strong, and a fit Retreat for Rebels to shelter themselves in, and caused all his Cattel to be driven away towards Inverness. This has so frightened those that were unquiet, and rebelliously inclined before, that they hear no more of them in those parts ; finding it by experience to be true, That Their Majesties Affairs are not at so low an Ebb as they would make the Countrey believe ; but that there are in all places those who faithfully and cordially appear for Their Majesties Interest and Service, and who zealously endeavour to surpress and hinder the spreading of the Rebellion.

Edinburgh, Aug. 17. On Thursday last was published at

the Mercat-Cross a Proclamation of Indemnity to such Rebels as shall lay down their Arms; declaring, That whereas Their Majesties being desirous to restore Peace to this Kingdom, and to unite all Their Subjects in a chearful Obedience to Their Government, They are graciously pleased to extend Their Mercy even to those who were in Rebellion against Their Authority: His Majesty did Authorize and Impower the Privy-Council to issue forth a Proclamation of Indemnity to all those who are now in Rebellion in the Kingdom of Scotland, who shall lay down their Arms, and shall submit themselves to, and acknowledge Their Majesties Authority, take the Oath of Allegiance, and give Security for their future peaceable behaviour. That therefore the Lords of His Majesty's Privy-Council, by His Majesty's Special Warrant, and in Their Majesties Name and Authority, do Indemnifie, Secure, and Pardon all such Persons as are in open Arms and Rebellion within this Kingdom, or have been accessory thereto, by Converse, Reset, Intercommuning with, or any way Assisting the Rebels. Providing always, The persons foresaid shall lay down their Arms within eight days after the Proclamation of this Indemnity, at the Mercat-Crosses of the Head-Burghs of the Shires where they dwell or stay for the time; and that, in testimony of their submission to, and acknowledgment of His Majesty's Authority, all Noblemen, Gentlemen, Heads of Clans, Heretors, and Officers, shall apply to Major-General Mackay, and before him swear and sign the Oath of Allegiance to Their Majesties betwixt and the third day of September next: or before the Lords of His Majesty's Privy-Council at Edinburgh, betwixt and the tenth of the said month of September, and find Security for their peaceable behaviour in time to come. And that all Yeomen, and such as are below the Degree of Heretors, or Officers, shall repair to the Sheriffs of the respective Shires where they dwell, or their Deputies, and before them acknowledge Their Majesties Authority, and swear and sign the Oath of Allegiance. And that such as continue obstinate after the offer of so great Favour and Mercy, shall be punished as Traitors and Rebels. Declaring also,

That this Indemnity shall not be extended to any who have been under His present Majesty's Pay, and guilty of any of the Crimes abovementioned. The Oath of Allegiance every one is to take, is,

I, A. B., do sincerely promise and swear, That I will be Faithful, and bear true Allegiance to Their Majesties K. William and Q. Mary. So help me God.

Yesterday there came an Express from the Duke of Schomberg to His Grace the Duke of Hamilton, giving an Account of his safe Arrival, and the Forces under his Command in the Lough of Carrickfergus; which was no less joyful News to all good People here, than it was unwelcome and displeasing to the disaffected Party; and that he was landing his Men at Bangor, and did intend to go to Belfast; That the Countrey was not near in so bad a condition as was reported, by Burning and Destroying; That the Corn was all standing, and great Plenty of Forage; the Countrey bringing in all sorts of fresh Provisions. The hearing of so agreeable Tidings, encourages all the British Protestants who fled hither for Shelter and Relief to hasten their return thither again in great multitudes.

Major-General Mackay purposes to make a second Journey into the North, if any occasion shall call for his presence there.

His Majesty's Commissioner begins his Journey for London on Monday next.

The Earls of Strathmore, Aberdeen, and Southeske, are all come to Town, notwithstanding the Report of their being gone in to the Rebels.

#### Number 50.

From Saturday August 24. to Tuesday August 27.

Address of the Presbyterian Ministers and Professors in Scotland; given in by His Majesty's Commissioner, and read in Parliament, July 22. Journals Numb. 42.

To His Grace, His Majesty's High-Commissioner, and to the Right Honourable the Estates of Parliament: The humble Address of the Presbyterian Ministers, and Professors of the Church of Scotland ;

Sheweth,

That as we cannot but acknowledge and adore the holy and righteous dispensation of the Lord, in all the great and long-continued afflictions wherewith he hath afflicted us for our sins ; so we are not a little filled with admiration at the great and wonderful Providence of our most Gracious God, who alone doth great Wonders, for his mercy endureth for ever ; That at such a time, when our strength was gone, and there was none to deliver, He mercifully stirred up that Pious and Magnanimous Prince, William, then Prince of Orange, now by the good hand of God our gracious Sovereign, to espouse the Interest of the Protestant Religion, and of the afflicted Ministers and Professors thereof in these Kingdoms ; and hath blessed him in so noble and heroick an Undertaking with agreeable Success ; as also hath raised up your Lordships, our most Noble and Honourable Patriots, to join heartily with His Majesty in appearing zealously for securing of the Protestant Religion in this Kingdom ; and for what may tend to the better Establishment thereof in all its Concerns ; and in evidencing your just indignation against the Corruption of Church and State in your Lordships Claim of Right ; and particularly, by freeing us of the Yoke of Prelacy, and of the undue Power and Ecclesiastical Supremacy in Church-matters, formerly established in the Supreme Magistrate. And as these your Lordships zealous beginnings of appearing for the Interest of the Protestant Religion and Professors thereof, have been, and are great matter of joy to our hearts, and of blessing and magnifying our Lord and Master in your Lordships behalf ; so they are a door of hope to Us, and to all that love the True Reformed Protestant Religion in this Land, That His Grace, His Majesty's High Commissioner, and this Honourable Court of Parliament, will in your station go on zealously in your begun Work of purging this poor oppressed Church from all

Corruption brought into it by ambitious and covetous Church-men, who sought their own things, but not the things of Jesus Christ; and from all the sad consequences which have followed upon the erecting of Prelacy; such as the driving of several hundreds of Ministers all at one time out of their Churches, without either Accusation or Citation, and the filling of their places with ignorant and scandalous persons; which His Majesty is graciously pleased to notice in his Declaration for Scotland, as an occasion of all this poor Churches miseries, and from which unsupportable sufferings he declared his resolution to relieve and rescue us; and we may add, with many also erroneous and unsound in the Faith, Enemies to the Reformation, and who have now appeared disaffected to the present Civil Government; as also the framing of a numerous train of severe Laws, severely executed both on Ministers and People of all degrees, so far, that even while we were counted and treated as Sheep for the slaughter, We might not petition or complain, without rendring our selves highly criminal, by the Laws and Acts then made. All which we hope the Commissioner His Grace, and your Lordships in this present Parliament, will take to your serious consideration, and will free this poor appressed Church from such Oppressors and Oppressions, and settle it again upon the right foundation of Government and Discipline, agreeable to the Word of God, and established in this Church by Law near an hundred years ago; which Settlement we are confident will prove the best remedy of all our otherwise innumerable distractions, and the means of quieting and uniting the whole Countrey in a joint and firm opposition against all your Lordships Enemies.

We therefore, His Majesty's most Loyal Subjects, and your Lordships most humble and dutiful Servants in Christ, humbly beseech the Commissioner His Grace, and the Honourable Estates of Parliament, seeing the King's Majesty hath declared, and your Lordships with Him have zealously appeared for the Protestant Religion, That you will be graciously pleased, by your Civil Sanction,

to establish and ratifie the Late Confession of Faith, with the Larger and Shorter Catechisms, which contain the sum and substance of the Doctrice of the Reformed Churches : the Directory of Worship, and Presbyterial Church Government ; all agreeable to the Word of God, and formerly received by the general consent of this Nation. And seeing Prelacy and all who have entred under Prelacy, have been imposed upon the Church, without her consent in any of her Free General Assemblies ; and that Presbyterian Government cannot be secure in the hands of those, who are of contrary Principles : Therefore we humbly Petition, That the Church Government may be established in the hands of such only who by their former Carriage and Sufferings have evidenced that they are known sound Presbyterians, and well affected to His Majesty's Government, or who hereafter shall be found to be such. Which we are hopeful, by the Grace of God, shall be managed with such Christian Prudence, Moderation, and Tenderness, as shall leave no just matter of complaint to any ; And that not only these Ministers yet alive, who were unjustly thrust from their Churches, may be restored thereto ; and these Parishes and Flocks at that time no less violently imposed upon, may be freed from Intruders ; but also all other Presbyterian Ministers, who either are already, or may be by respective Flocks orderly called hereafter, may have access to be settled in Churches after the Presbyterian Way, as they shall be Ecclesiastically approved and appointed, and may have your Lordships Civil Sanction added thereunto.

And we also request, That the Church thus established, may be allowed by your Lordships Civil Sanction to appoint Visitations, for purging out insufficient, negligent, scandalous and erroneous Ministers. And seeing Patronages, which had their rise in the most corrupt and latter times of Antichristianism, and hath always been a great Grievance to this Church, as the source and fountain of a corrupt Ministry, that these may be abolished, and that the Church may be established upon its former good foundations, confirmed by many Acts of Parliament 1560.

And that all Acts contrary to this Government that ratifies Ceremonies, and imposes Punishments upon Presbyterians for Non-Conformity, and for worshipping God according to their Principles, may be abrogated : And, as a good and necessary mean for preserving the Purity of the Church, that your Lordships take care that Learned, Sound, and Godly Men be put in Universities and Seminaries of Learning : (Humbly submitting to your Lordships Wisdom the method of considering and effectuating these our desires.) Thus all things being done for the House of the God of Heaven, according to the Commandments of the God of Heaven, by your Lordships wise and pious managing of these Affairs of the Church of Christ, this poor, long-oppressed, and lost Church may at length, through God's Blessing, arrive at a quiet and safe Harbor ; and the true Honour and Happiness of His Majesty and your Lordships, as the signal Nursing-Fathers of the Church of Christ in this Land, may be advanced and continued to future Generations ; and so the Blessing of the Church, which was ready to perish, may remain still upon His Majesty and your Lordships.

And your Lordships Petitioners shall ever pray, That God may bless and protect the Persons of King William and Queen Mary, long to Rule and Govern this Nation, and your Lordships under them.

Act for restoring Presbyterian Ministers to their Churches.

Presented by Sir William Hamilton, and Voted and Approven in Parliament, July 31. 1689. Number 45.

*(The terms of this Act, which was not now touched with the sceptre, are identical with those of the Act of April 25, 1690 given in A.P.S. ix. 111, with the exceptions that the words ' Michaelmas last ' had been ' Michaelmas next ' in this draft and ' betwixt and Whitsunday next to come ' had been ' betwixt and Martinmas next to come.')*

Edinburgh, Aug. 20. Upon Wednesday last M.G. Mackay March'd with a Body of 1000 Horse, and 4000 Foot, and reached Strathbogie, about 30 Miles from

Aberdeen towards the North, the Rebels continuing still in the Hills, where it is very difficult for any Horse to come at them; they are now about 7 or 8 Miles distance from them; the M. General upon the notice he receiv'd of their being so near him, sent out a Troop of Horse to try if they could get a sight of the Enemy; which they no sooner discovered to be Marching towards them, but they dispersed themselves; yet the Horse pursued them so closely, that they took some of them Prisoners, and amongst them a Gentleman, upon whose Land the Rebels had quartered the Night before, who declares, That they had neither Guard nor Sentinels, but behaved themselves like a confused and disorderly Rabble ever since Dundee's death, observing no Discipline, nor obeying any Command that the Earl of Dumfermling, or Coll. Cannon would have brought them under.

The Lords, Levingston, Callender and Duffus, have left the Earl of Bradelban's House, and are gone to stay for some time at Duffus in Murray, a House belonging to the L. Duffus, being all near relations.

This day the D. of Hamilton, L. Murray, Sir Will. Hamilton, Sir Ja. Ogilby, and Riccarton Drummond,<sup>1</sup> began their Journey for London. The Earls of Hume and Lauderdale, with the Viscount of Oxenford, are set at liberty from their Imprisonment, having given Security for their peaceable behaviour under the present Government.

By an Express come from Sir John Lanier, dated the 15th, from Eglin,<sup>2</sup> we are inform'd, That another Party of his Horse had had an Engagement with some of the Rebels betwixt Forfar and Brichen, and had defeated them, killing some, and taking others. Declaring also, That it is more easie to defeat their whole Body, than to find them out.

Letters from Londonderry assure us, That M. G. Kirk hath taken possession of Colrane, (a Town within 24 miles of Derry); which upon his approach the Irish had abandon'd in such disorder, that the Bridge was found all besmear'd with combustibile matter, which they had not

<sup>1</sup> Thomas Drummond of Riccarton.

<sup>2</sup> Edzell.



time to set fire to, as they intended ; So that both Town and Bridge are in the Protestants hands ; And that the Protestants come in great Companies to the M. Gen.'s Quarters, with considerable numbers of good Horses.

Number 51.

From Tuesday August 27. to Saturday August 31.

Draught of an Act for Establishing the Church-Government.

Presented by His Majesty's High-Commissioner, July 22. 1689. Mentioned in the Journal, Number 42.

Forasmuch as the King and Queens Majesties, and the Estates of Parliament, by their Act the 5th of July instant, Abolishing Prelacy, and the Superiority of any Church-Officers above Presbyters in this Kingdom ; did declare, That they would settle that Church-Government in this Kingdom which is most agreeable to the inclinations of the People. And considering That the Church-Government by General, Provincial, and Presbyterial Assemblies, with the Sessions of the Kirk, as it was established by the first Act of the 12th Parliament of King James 6. holden in June 1592. is most agreeable to the inclinations of the People : Therefore the King and Queens Majesties, with Advice and Consent of the Estates of Parliament, Revives and Renews the said Act of Parliament in the whole Heads, Points, and Articles thereof ; (with this express Declaration, That the necessity of occasional Assemblies be first represented to His Majesty by humble Supplication): And Statutes and Declares, That it is, and shall be lawful to the Presbyters of this Church to admit Ministers upon Presentations from the lawful Patrons, or *Jure devoluto*, which shall happen hereafter ; or into Churches which fall not under Patronages, but were Mensal and Patrimonial Churches belonging to the Bishops ; sicklike and as freely as they did or

might have done of before by the foresaid Act of Parliament in the year 1592. and to do all and everything which before pertained to Presbyteries, and were exercised by the Bishops. And Ordains all the Ministers in this Kingdom to submit and conform themselves to the Church-Government established by the foresaid Act, and to take the Oath of Allegiance, under the pain of being deprived of their Churches, and losing their Benefices. And it is Declared, that all Ministers that shall submit and conform to the foresaid Church-Government, and take the Oath of Allegiance, without being obliged to take any other Oath, shall enjoy their Churches and Benefices, and shall not be deprived of the same, except for Scandal or Insufficiency. But in respect there are several Ministers that were put out of their Churches and Benefices since the year 1662. for not complying with, and conforming to Prelacy; and others since the year 1681. for not taking the Test: And now seeing Prelacy is Abolished, and all Acts relating thereto, it is just and reasonable that these Ministers that went out, and were laid aside, for not conforming to, and complying with Prelacy, and for not taking the Test, should be restored to Their Churches and Benefices; Therefore the King and Queens Majesties, with Advice and Consent of the saids Estates of Parliament, do Ordain, the said Ministers that went out, or were laid aside, upon the account foresaid, to be restored and reponed; and do hereby repon and restore them to their respective Churches and Benefices. And the King and Queen's Majesties, and Estates of Parliament, declares, That they will take care to provide these Ministers that are now serving the Cure at the saids Churches, with other Churches and Benefices, as occasion shall offer; they submitting themselves to the Government of the Church established by this present Act, and taking the Oath of Allegiance, and being sufficient and qualified for the Office of the Ministry, and without scandal. As also it is Declared, That Intrants to the Ministry shall not be holden or obliged to take any other Oaths at their admission, but the Oath of Allegiance, and the Oath *de fidei*. And in regard that much trouble

hath ensued unto the Estate, and many sad Confusions and scandalous Schisms have fallen out in the Church, by Church-mens meddling in matters of State: Therefore Their Majesties, with Advice and Consent of the Estates of Parliament, do hereby discharge all Ministers of the Gospel within this Kingdom, to meddle with any State-Affairs, either in their Sermons or Judicatories, publicly or privately, under the pain of being holden as disaffected to the Government, and proceeded against accordingly. And declares, That the Jurisdiction of the Church consists and stands only in the Preaching of the True Word of Jesus Christ, Correction of Manners by Ecclesiastical Censures, and the Administration of the Holy Sacraments, conform to the 69th Act James 6. Parl. 6. And to the effect there be nothing treated or concluded in the Church-Judicatories, that concerns the Affairs of State, or Civil Matters; it is declared, That Their Majesties, if they shall think fit, may have always one present in all the Provincial and Presbyterial Assemblies (as well as They have Their Commissioner present in General Assemblies), that in case any Affair that concerns the State, or Civil Matters, that does not belong to the Jurisdiction of the Church, shall come in before the saids Assemblies, the said Person appointed by Their Majesties shall Inhibit and Discharge the Provincial or Presbyterial Assembly to proceed in any Affair that concerns the State, or Civil Matter, before Their Majesties and Their Privy-Council shall be acquainted with the same, that They may declare Their pleasure thereanent. And because there are many things to be settled in relation to the Policy and Discipline of the Church, therefore Their Majesties declare That They, by the Advice of the Estates of Parliament, and Judicatories of the Church, will enact such Rules concerning the Policy, Discipline, and other Matters to be observed by the Church, as shall tend most to the curbing of Vice, the Advancement of True Religion and Piety, and the Preservation of Unity and Peace amongst the Subjects. And Their Majesties, with Advice and Consent of the saids Estates of Parliament, Rescinds and Annuls the first Act of the

15 Parl. K. Ja. 6. anent Ministers provided to Prelacies should have Vote in Parliament; and the second Act of the 18 Parl. Ja. 6. anent the Restitution of the Estate of Bishops; and the eighth Act of the 19 Parl. Ja. 6. anent the Chapter of St. Andrews; and the sixth Act 20 Parl. K. Ja. 6. anent the Commissariots and Jurisdictions given to Archbishops and Bishops; and the first Act of the 21 Parl. Ja. 6. anent the Ratification of the Acts of the Assembly of Glasgow, in the year 1610; and the first and second Acts of the 22 Parl. of K. Ja. 6. in the year 1617. anent the Archbishops and Restitution of Chapters (without prejudice always to the Ministers serving the Cure, of any Emoluments allowed to them in part of their Stipends); and the first Act of the 23. Parl. of K. Ja. 6. in the year 1621. anent the Ratification of the Articles of the Assembly holden at Perth. And rescinds and annuls all and whatsoever Acts, Laws, and Constitutions, in so far as they derogat and are prejudicial to the Church-Government, by General, Provincial, and Presbyterial Assemblies, and Kirk-Sessions; and in so far as they are conceived in favour of Archbishops, Bishops, Abbots, Priors, and other Prelates or Churchmen whatsoever, their Dignity, Title, Power, Jurisdiction, and State in this Church and Kingdom, or in favours of the Civil Places or Power of Church-men, or of whatsoever sort allowed or disallowed, for their Ruling, Sitting and Voting in Parliament, either as Churchmen, or the Clergy, or in name of the Church; or as representing the Church, either in regard of their Ecclesiastical Titles, Offices, Places and Dignities, or in regard of the Temporality or Spirituality of Ecclesiastical Benefices, or other pretexts whatsoever, with all Acts and Constitutions of Convention, Council or Session, or other Judicator whatsoever, and all Practices or Customs whatsoever, introduced in favours of the saids Offices, Titles, Benefices, or Persons provided thereto; and all other Acts, Statutes or Practices which are contrary and prejudicial to, or inconsistent with this present Act; And declares the same to be void and null in all time coming; And seeing by the abolishing of Prelacy, there is

at present no Meeting of the Presbyteries, or Provincial Assemblies, and it being necessary that there be a time and place appointed for the first Diet of meeting, therefore ordains the Ministers of the several Presbyteries on the Southside of the River of Tay, to meet and convene upon the second Tuesday of August next, at the ordinary places where the Presbyters are in use to meet, and these Ministers of the Presbyteries on the North-side of the River of Tay, to meet and convene upon the first Tuesday of September thereafter, at the ordinary places where the Presbyters are in use to meet; and appoints these Ministers that shall meet in the respective Presbyteries, to chuse their own Moderator; and ordains the Moderator first to take and subscribe the Oath of Allegiance himself, and then administrate the said Oath to the rest of the Brethren, That they may take and subscribe the same; and ordains the Moderator of the respective Presbyteries to return the said Oath so taken and subscribed, to the Clerks of Privy Council betwixt and the first of October next; and ordains the first Diet of Meeting of the several Provincial Assemblies of this Kingdom to be upon the second Tuesday of October next, at the ordinary places, where the Synods and Provincial Assemblies were in use to meet: And ordains the Church-Sessions to be elected and chosen, both in Burgh and Landward, at the ordinary times, and after the ordinary manner.

Edinburgh, Aug. 24. A Troop of Sir Jo. Lanier's Regiment has had an Engagement with a Party of 60 Rebels near Fetterraim<sup>1</sup>; whereof 24 being killed, and 30 taken Prisoners, the rest fled to the Hills. Maj. Gen. Mackay having marched Northwards, to attend the motions of the Rebels, who still keep the Hills, and He in the Low-Countries, at last finding that they were returning Southward, he resolved to alter his March also; and last night came as far as Perth, from whence he is to march again into the Country of Athol, the Enemies place of retreat and shelter. Lieut. Coll. Cleeland being commanded to march with his Regiment to Dunkell, to watch the motions of

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<sup>1</sup> Fettercairn.

the Enemy, and to secure that Town and Countrey from their Incursions; the first thing he did, was to send His Majesty's Gracious Act of Pardon and Indemnity to them, hoping by that means to draw a great many of them off from their Rebellious Practises: But they, instead of accepting thereof, the next day (which was Monday last) marched down from the Hills, with several of the Athol-men, thinking to have surprised Him and his Regiment at Dunkell; but Cleeland, having notice of their march but an hour before, received them so warmly, that many of them were killed and taken Prisoners, the rest flying to the Hills. On Tuesday a much stronger Party of the Rebels came down upon them, consisting of about 1500 or 2000 Men; with these Cleeland engag'd again, routed them all, killing some, taking others, and forcing the rest into the Hills again. By this time Cleeland received some Recruits of four Troops of Dragoons from Col. Ramsay at S. Johnston, who pursued the Rebels some miles into the Hills. The Enemy finding themselves to be twice, and so shamefully defeated by so inconsiderable a number of Men, were resolved to retrieve their Honour, if possible, next morning which was Wednesday, when coming down with all their Forces, under the Command of Coll. Cannen, with whom many of the Athol-men join'd, and were in all between 2 and 3000; and having beset all the Passes, they assaulted our Men the third time. Cleeland finding a great disproportion betwixt the number of His Men and that of the Rebels, took his Ground as advantageously as the place would give him leave, and intrench'd himself therein, as also within the Walls of the House and Garden belonging to the Marquess of Athol at Dunkell, from whence they made considerable execution on the Rebels: But they having the advantage of two Field-Pieces, made Breaches in the Walls, and annoy'd our Men; which Cleeland perceiving, made a brisk Sally at the Head of 40 resolute Men tho he was wounded himself at the same time, and fell with that Courage and Resolution on the Rebels, that he forc'd them from their Cannon, kill'd a great many, and put the rest to flight; They that were within the

Walls, came out immediately, and joining those few that Cleeland had taken with him, pursued the Enemy to the Hills. Coll. Cannon was heard to say, when he saw Our Men fight so bravely, and His Men not able to stand before them, That he thought it better now to flie for't, than to stand and fight against Mad-men ; for such he esteemed them to be, who fought so valiantly, being so few in number, against such a multitude of Enemies. Of the Rebels, we are credibly inform'd, there were killed about 2 or 300, many wounded and taken ; and of ours not above 30 Soldiers in all the Engagements. But the greatest loss was, that L. C. Cleeland returning Victorious, as he was coming through the Town, had the misfortune to be shot at out of a Window, of which Wound he soon died. Maj. Henderson is mortally wounded ; and one Capt. and Lieut. more killed. This day came an Express from the D. of Schomberg, acquainting the Privy-Council, That the Regiments of Horse and Dragoons sent him from England, are arriv'd, and that he was besieging Carrikfergus.

#### Number 52.

From Saturday August 31. to Tuesday September 3.

*Act Salvo Jure cujuslibet.* Aug. 2. 1689.

(*The Act, which is in the usual form, is given in A.P.S. ix. 106.*)

*Act of Adjournment. Eodem die.*

The King and Queens Majesties declares this Parliament current ; and adjourns the same to the eighth day of October next to come : Ordaining all Members, Noblemen, Commissioners of Shires and Burghs, and all others having Interest, to attend that day. And that there be no new Election in Shires or Burghs, except upon the death of any of the present Commissioners.

*Sic subscribitur,*

Crawford P.

Dunkell, Wednesday, Aug. 21. 1689.

The exact Copy of a Letter written and sent by Lieut. John Blackader, in the E. of Angus his Regiment, about two hours after the Engagement.

D. B.

I have taken this first opportunity to shew you I am in good health, because I believe many false reports will by this time become to your ears anent our Engagement, which was this same day: but for your certain information, the manner and way was thus: On Saturday last we came to this Town late at Night, and Camped within some Walls between the Church and a House belonging to the M. of Athol: On Sabbath Morning, the Countrey-people and Athol-men appear'd on the Hills round about us in Tens and Twenties; and about Four Afternoon, a Party of 60 or 80 Men drew up on a Hill above us, and within a little while, sent down a Letter to our Lieut. Coll. full of great threatnings and boastings, the which he answer'd as briskly; and after carried up the Indempnity, and proclaimed it in the Messenger's hearing, and so he retired. Mean time notice had been given to St. Johnstown, to the Forces there to come up to our help; and accordingly on Monday morning came Lord Cardros with four Troops of Dragoons and one Troop of Horse; upon which, the Lieut. Coll. detach'd out the most part of the Regiment, who, with the Horse, went to meet the Enemy, who appeared in several Parties to the number of about 5 or 600 men, (ours being much about the same number) some small Parties went out and Skirmish'd; but Cardros, after an Hour or two's stay, brought in his men to the Town, our Lieut. Coll. did the like: An hour after, Cardros told the Lieut. Coll. he must needs go back to St. Johnstown. being expressly ordered by Coll. Ramsay so to do. Our Men were mightily discourag'd to hear this; but whatever could be said, the Horse would not stay, and it was much for us to keep our men from going along with them whether we would or not; but the Lieut. Coll. compelled them, and told them, That tho every Man went away, he resolved



to stay himself alone ; so we past Tuesday night also in Arms. This morning about six of the Clock, the Enemy appeared on the Hill, and whereas we expected only the Enemy we had seen the day before, we saw to the Number of 3 or 4000 men draw up above us, which prov'd to be the whole Force of Coll. Cannon, the which, one of the Prisoners we took, gave out to be 4000 men, besides the addition of the Country. Our Lieut. Coll. making a Virtue of Necessity, being nothing discouraged, Posted the men so as they might most annoy the Enemy, planting them behind Dikes and Ditches which he had caused to be cast up, and in the Church and Steeple, and in Athol's House. When he had so done, the Enemy approached very fast, the Highlanders came running on like desperate Villains, firing only once, and then came on with Sword and Target ; a Troop of the Enemies Horse (brave Horse, and all Gentlemen) beset one side, on purpose, we think, to have cut us off when we fled, which they nothing doubted of ; a party was sent out under the Command of Capt. Hay (Park Hay's Son) to keep them up, which fired on them, and then retired, not being able to sustain their great number and fierceness, pressing in upon us to the very Cross in the middle of the Town, where another Party of our Men fired on them, and then retired in order : After which the Highlanders came swarming in on all hands, and gave a desperate Assault in four places all at once, first firing their Guns, and then running in on us with Sword and Target ; But it pleased God, that they were also bravely repulsed, our men still firing on them where they came on thickest. In this hot service we continued above three hours, the Lord wonderfully assisting our men with Courage, insomuch, that old Souldiers that were with us, said, They never saw men Fight better ; for there was not the least sign of fear to be seen in any of them, every one performing his part gallantly, But (which is never enough to be lamented) our Dear and Valiant Lieut. Coll. at the beginning of the Action going up and down encouraging his Men, was shot in the Head, and immediately Died ; our Major also received three wounds, so that I fear he will not live. Notwithstanding

all these discouragements, our men fainted not, but fought so, that the Enemy at last found themselves necessitate to flee back on all hands, leaving a number of their dead Carcasses behind them ; and a great many of them getting into Houses to Fire upon us, our Men went and set fire to the Houses, and burnt and slew many of them. One of the Prisoners we had taken, told us, That after they were gone off, their Officers would have had them come back, and give us another Assault, but they would not hear of it, for they said we were mad and desperate Men. Upon their Retreating, our Men gave a great Shout, and threw their Caps in the Air, and then all joined in offering up Praises to God, for a considerable time for so miraculous a Victory. I must really say, The Lord's Presence was most visible, strengthening us, so that none of the Glory belongs to us, but to his own Great Name ; for we clearly saw, It was not by Might, or our Power, nor by Conduct, (our best Officers being killed at first, and disabled), so that we have many things to humble us, and to make us trust and eye him alone, and not Instruments. I pray God help me, never to forget such a great Mercy I have met with, not receiving the least hurt ; notwithstanding several falling on my right and left hand. This is a true and impartial Account of the whole Affair, which you may communicate to others in case of Misrepresentations. The Enemy retired as we hear, to the Castle of Blair ; we expected still they would assault us again, but word being sent to St. Johnstown at 12 a Clock, we expect speedy help from thence. This in haste from

Your affectionate Brother,

*(Sic subscribitur)* J. B.

Edinburgh, Aug. 27. We are credibly inform'd, That the Laird of Ballachin in Athol, who had so much influenc'd the Athol-men, and had Garison'd the Castle of Blair in that County for Dundee's Party, is now come in to Major-General Mackay, at Saint Johnstown, and laid hold on His Majesty's Gracious Act of Indemnity ; by which all the County of Athol will be henceforward secured against all

apprehensions of sheltring the Rebels, or of joining with them. We have the same Account of Mr. Graham, Dundee's Brother, who has likewise accepted the Pardon, and so have several others.

We are also told, That Collonel Cannon, despairing of doing any thing considerable against His Majesty's Forces, after the great Baffle and Defeat he received by one single Regiment of the Earl of Angus's at Dunkell, is resolved to abandon Blair-Castle, and to march towards Argyleshire, or Kintyre and from thence to embarque for Ireland, to try if a more successful Fortune will attend him there. Many of the Irish that came over with him have deserted; and in making their Escape for Ireland, have been intercepted at Glasgow.

There is a Proclamation, by Order of Council, made for a Publick Fast to be observed the 18th of September; which shall be inserted in the next Journal.

A Proclamation is also issued forth, granting Warrant to all Heritors, and Patrons of Livings, to cite such Ministers as have not read the Proclamation, and prayed for King William and Queen Mary, to compear before the Lords of His Majesty's Privy-Council, That by a Legal and Judicial Sentence, they may be deprived of their Benefices; and more Loyal persons presented to, and put into their places.

The next day after the Engagement at Dunkell, some Troops of Horse and Dragoons, coming to the Assistance of the Earl of Angus's Regiment, who had behaved themselves so Valiantly and Successfully, went out in detach'd Parties, and scouring the Country, found several dead Bodies of the Rebels, that had fallen by the hands of our Men the day before, lying up and down the Country, which gives us ground to believe that the Slaughter made of them was much greater than it was reported to have been at first.

From Ireland we hear, That the Town and Castle of Carrick-fergus are surrendred on Conditions; the Garison consisted of two Regiments. The Castle was play'd upon by six Frigats on that side towards the Water, and by

several Batteries that were raised on the Land-side. The Garison march'd for Charlemont. In the Castle was found great store of Arms, Artillery, and of all sorts of Provisions that might enable them to hold out a long Siege.



## REPORT OF THE SIXTY-FIFTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

THE SIXTY-FIFTH ANNUAL MEETING OF THE SOCIETY was held in the Rooms of the Royal Society, George Street, Edinburgh, on Saturday, 15th December 1951, at 3 P.M.

Professor J. D. Mackie, C.B.E., M.C., LL.D., occupied the Chair.

The Report of the Council was as follows :—

The Council have learned with deep regret during the year of the deaths of Miss Henrietta Tayler and Mr. B. H. Sumner, Warden of All Souls College, Oxford.

Miss Tayler, who died suddenly in her eighty-third year, spent much of her life in the study and writing of Jacobite history, partly in collaboration with her brother, Alastair. In this she habitually went to the original sources both at Windsor Castle and among the muniments of many private individuals, with whom her acquaintance invariably developed into warm friendship. For the Society she edited a volume, *The Jacobite Court at Rome, 1719*, and contributed *Jacobite Papers at Avignon* and *A Grandson of Prince Charles Edward Stewart* to *Miscellany Volumes V and VIII*. Elected to the Council when she was over eighty and resident in London she attended each meeting until her death.

Mr. Sumner, a distinguished administrator, teacher and scholar, who specialised in the history of Russia, joined the Society in 1944 during his short tenure of the Chair of History at Edinburgh University. After leaving to become Warden of All Souls he was elected a Corresponding Member of Council in succession to Sir Charles Oman. Like Miss Tayler he had a unique gift for friendship, which, with his unflinching capacity for maintaining a genuine interest in their activities, won him the affection alike of colleagues and pupils both at Oxford and in Edinburgh.

*Miscellany Volume VIII*, which is the Society's volume for 1948-9, was issued in April. The Council feel confident that this volume, from the variety of its contents, will have been widely appreciated by members interested in different aspects and periods of Scottish history. They would express their gratitude to the Carnegie Trustees for the Universities of Scotland for a grant of £100 towards its cost.

The volume of *Scottish Population Statistics*, which Mr. J. G. Kyd, C.B.E., F.F.A., is editing as that for 1949-50, is now in page proof. While *Webster's Analysis of Population* (1755) is the main part of the volume, it contains subsequent statistics, including some from the Census of 1951, with the editor's deductions as to the tendencies shown over the last two centuries.

*The Letters of James IV, 1505-1513*, begun by the late Professor Hannay, has been completed by Mr. R. L. Mackie and will be issued as the volume for 1950-1. It will include a short biography of Professor Hannay, who was for many years Secretary of the Society and was Chairman of Council at the time of his death in 1940.

The Council have fixed as the following volume the

*Report of the Proceedings of the Convention, 1689-90.* In this they are taking the unusual but not unprecedented course of reprinting a book, or rather in this case a seventeenth-century periodical, of which complete sets are extremely rare.

Increased costs are again causing concern to the Council. It does not seem possible at present prices to reissue *The Lyon in Mourning*, as suggested in the last Report, unless these were to be the only volumes for three years. The Council feel that members would not desire the suspension of new volumes for so long a period.

Members of Council who retire in rotation at this time are the Rev. Donald Mackinnon, Dr. G. S. Pryde and Mr. R. L. Mackie. The Council recommend their re-election and the election of Dr. C. A. Malcolm in place of the late Miss Henrietta Tayler.

During the past year 11 members have died and 6 have resigned. The names of 4 others have been removed on failure to pay their subscriptions. 8 new members have joined the Society. The membership, including 144 libraries, now stands at 393.

An Abstract of the Accounts for 1950-51, as audited, is appended.

Professor W. Croft Dickinson, D.Lit., Chairman of the Council, moved the adoption of the Report and Accounts. After referring to the deaths of Miss Tayler and Mr. Sumner and explaining the reasons for not re-printing *The Lyon in Mourning*, he pointed out that on the year the Society had suffered a net loss of 13 members. Without the guineas subscribed by members the issue of the Society's volumes would be impossible. He reminded members of the advantages of covenanted subscriptions.



In seconding the adoption, Sir James Fergusson of Kilkerran, Bt., spoke of the great service to Scottish history rendered by members of the Society, who were providing the bricks without which the edifice of history could not be built.

The President then delivered an address entitled, 'The Lords of the Articles.' He said that the Lords of the Articles had a sinister reputation. They were generally known as camarilla, which professed to speak for the Scottish parliament, though it really represented the power of some political clique or of the crown.

After tracing the origin of the institution, which was peculiar to Scotland, he posed three questions. Was this institution due to something inherently vicious in Scottish political life or some lack of constitutional sense among Scotsmen? Was it borrowed from France? Was it a practical attempt to solve a difficulty, present in the minds of all politicians—the difficulty of co-relating the governmental work done by a permanent council with that done by an occasional parliament?

An examination of the facts showed that the distinction between orderly England and turbulent Scotland had been exaggerated, and that the English parliament, though it developed more quickly than that of Scotland, was similar in origin and not entirely different in its development, though this was hampered by the wars of Independence.

That Scotland should have borrowed from France the idea of a commission to carry on after the estates had gone away, was not improbable, though the device of using a commission might have suggested itself to politicians in various countries simply because of the difficulty of housing a big assembly in a small town. In view, however, of the manner in which French institutions developed, it

was hard to see how the idea of a commission, as opposed to a committee and as a regular thing, came from France.

It was reasonable to suppose that the device of the Articles was an attempt to produce continuity of action as between the times when parliament was sitting and the times when it was not. The similarities in personnel and function between the parliamentary committee and the permanent council were conspicuous. This approximation was not always due to the controlling power of the executive. Originally perhaps and certainly on some occasions the appointment of the committees represented an effort of parliament to take control, and the method of cross-election of representatives showed the desire to be fair. Even when the permanent executive did take control its action might be justified on the ground that the country could not afford a complete change of policy every time parliament met. After all, every government had to face the same problem.

An examination of the history of England during the Tudor period shows that the executive controlled the parliament to a degree not usually noticed in the textbooks, and that very largely by means of the privy councillors who sat in parliament. These councillors exercised their influence in various ways; and at times, during the reigns of Edward VI and Mary, they even appear as a definite body in the *Journals of the House of Commons*. Their influence was very much that of the Articles; it was directed to the same end, and perhaps in a less reputable way. The Articles, after all, professedly, and to some extent really, represented the estates; the councillors certainly, if not always officially, represented the power of the crown.

Why, then, did the Scottish Articles develop into an

instrument of the executive while in England the House of Commons took control of the executive and established a liaison between crown and parliament, which is expressed in the modern cabinet ?

The answer lies in the facts of history. In England Henry VIII's quarrel with the papacy drove the crown into alliance with the Commons and later the advent of James VI and I, an alien, a peace-lover and a pedant, gave to the English Commons a chance which they were quick to take.

Yet one must ask the questions why the domineering Henry thought it worth while to cultivate the English Commons, and why the Scottish parliament was unable to shake off the control of King James, a pedant and an absentee.

The explanation must lie in the fact that the English Commons were stronger than the Scottish parliament ; they had established themselves to some extent before the government passed into the hands of the new monarchy and were able to survive the attacks of authoritarianism. The Scottish parliament had not reached its full stature before the day of crisis came. If it did not lack constitutional sense, it certainly lacked constitutional experience.

A vote of thanks to Professor Mackie was proposed by Dr. H. W. Meikle, C.B.E., LL.D., D.Litt., who said that in his suggestive address he had again taken an old subject and presented it in a new light.

ABSTRACT ACCOUNT of CHARGE and DISCHARGE  
of the INTROMISSIONS of the HONORARY  
TREASURER for the year from 1st November  
1950 to 31st October 1951.

CHARGE

I. Cash in Bank at 1st November 1950 :—

1. Sum at credit of Savings Account with Bank of Scotland . . . . .	£439 2 2
2. Sum at credit of Current Account with Bank of Scotland . . . . .	126 18 6
3. Cash in hands of Bank of Scotland to meet postages . . . . .	0 17 9

£566 18 5

II. Subscriptions received . . . . . 391 14 0

III. Past Publications sold (including postages  
recovered from purchasers) . . . . . 5 9 2

IV. Interest on Savings Account with Bank of  
Scotland . . . . . 5 11 8

V. Refund of Income Tax . . . . . 59 5 4

VI. Grant from Carnegie Trust for the Univer-  
sities of Scotland towards the cost of  
Volume XLIII . . . . . 100 0 0

VII. Sums drawn from Bank Cur-  
rent Account £374 9 2

VIII. Sums drawn from Bank  
Savings Account . . . . .           

£1128 18 7

## DISCHARGE

I. Cost of Publications during year . . . . .	£287 9 3	
Cost of printing Annual Report and Printers' postages, etc . . . . .	32 11 11	
	<hr/>	£320 1 2
II. Miscellaneous payments, including Bank's postages . . . . .		54 16 4
III. Sums lodged in Bank Current Account . . . . .	£556 8 6	
IV. Sums lodged in Bank Savings Account . . . . .	£5 11 8	
V. Funds at close of this Account :—		
1. Balance at credit of Sav- ings Account with Bank of Scotland . . . . .	£444 13 10	
2. Balance at credit of Cur- rent Account with Bank of Scotland . . . . .	308 17 10	
3. Cash in hands of Bank of Scotland to meet cur- rent postages . . . . .	0 9 5	
	<hr/>	754 1 1
		<hr/>
		£1128 18 7

EDINBURGH, 8th November 1951.—I have examined the Accounts of the Honorary Treasurer of the Scottish History Society for the year from 1st November 1950 to 31st October 1951, and I find the same to be correctly stated and sufficiently vouched.

HENRY M. PATON,  
*Auditor.*

# Scottish History Society

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LIST OF MEMBERS

*1st November 1951*

## LIST OF MEMBERS

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Vicarage, Shrewsbury.
- Alexander, Joseph, 108 Glengate, Kirriemuir.
- Allan, John, M.R.C.V.S., Castle-Douglas.
- Allan, John, C.B., LL.D., F.B.A., 45 George Square,  
Edinburgh.
- Angus, William, LL.D., 69 Cluny Gardens, Edinburgh.
- Armet, Miss Catherine M., 42 Main Street, Davidson's  
Mains, Edinburgh.
- 10 BAIRD, Mrs. J. G. A., 9 Learmonth Terrace, Edinburgh.
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Court Avenue, New Milton, Hants.
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- Birrell, Mrs. N. Dow, 10 Canmore Street, Dunfermline.
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St. Andrews.
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Place, Glasgow, W. 2.
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Buchanan, H. R., 172 St. Vincent Street, Glasgow.  
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 Cooper, The Right Hon. Lord, LL.D., 16 Hermitage Drive, Edinburgh.  
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 Cowie, John, 20 Blythswood Square, Glasgow, C. 2.  
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Edinburgh (*Hon. Treasurer*).
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Dickson, Walter S., Advocate, 6 Circus Gardens, Edinburgh.  
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Illinois, U.S.A.  
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Donaldson, Gordon, Ph.D., 24 East Hermitage Place,  
Edinburgh.  
Donaldson, Robert, 16 Marchmont Crescent, Edinburgh.  
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St. Andrew's House, Edinburgh.  
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Dunselma, Fenwick, Ayrshire.  
Dunlop, George, Craighrossie, 15 Craigmuschat Road,  
Gourock.

- Dunlop, Miss Jean Mary, 83 Parkside Drive, Watford, Herts.
- Durack, Mrs. Isabel J., 87 Comiston Drive, Edinburgh.
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- Elrick, W. J. H., c/o Bank of New South Wales, 29 Threadneedle Street, London, E.C. 2.
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- Hope, Miss Constance L., 19 Fenton Street, Alloa.
- Horridge, Captain W., M.C., F.C.S., F.R.S.A., Heather Lea, Bury.
- Hoy, W. Ivan, Box 742, University, Coral Gables 46, Florida, U.S.A.
- Hunter, J. N. W., Ph.D., Moray House Training College, Holyrood Road, Edinburgh.
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- Johnston, Miss M. B., 18 Montpelier Terrace, Edinburgh.
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- Leiper, R. J., Tomphubil, Foss, by Pitlochry.
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Greece.
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shire.
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- 130 MACARTHUR, NEIL, Solicitor, Royal Bank Buildings,  
Inverness.
- McAulay, Alex. C., 83 Sunnybank Street, Glasgow, S.E.
- MacDonald, Sir Murdoch, K.C.M.G., 72 Victoria Street,  
London, S.W. 1.
- MacDonald, Rae, 12 Rosemod Court, 333 Musgrave Road,  
Durban, South Africa.
- Macfarlane-Grieve, Lt.-Colonel A. A., M.C., M.A., Woodslee,  
Canonbie, Dumfriesshire.
- Macfarlane, George R., 1629 Harwood Street, Vancouver,  
B.C., Canada.
- McInnes, C. T., H.M. General Register House, Edinburgh.
- McIntosh, Murdoch, Drummond Tower, Upper Drummond,  
Inverness.
- Mackay, Æneas, 44 Craigs, Stirling.

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- McKechnie, Hector, B.A., LL.B., K.C., 64 Great King Street, Edinburgh.
- Mackechnie, Rev. John, M.A., B.D., F.S.A.Scot., 3 Eldon Terrace, Glasgow, W.
- Mackenzie, Compton, O.B.E., Denchworth Manor, Wantage, Berks.
- Mackenzie, Mrs. P. C., 7 Stainforth Road, Newbury Park, Essex.
- Mackenzie, William C., Deargail, St. Margarets-on-Thames.
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- Maclean, The Very Rev. Norman, D.D., Portree House, Portree, Skye.
- MacLehose, Mrs. James, 5 Heriot Row, Edinburgh.
- Macmillan, The Lord, G.C.V.O., LL.D., Moon Hall, Ewhurst, near Guildford, Surrey.
- McNab, Rev. J. Strathearn, St. Leonard's Manse, Ayr.
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- Manson, A. M., 3 Queen's Crescent, Edinburgh.
- 160 Mar and Kellie, The Earl of, K.T., Alloa House, Alloa.
- Marshall, Charles Hay, S.S.C., 97 Seagate, Dundee.
- Marshall, David C., Kilbucho Place, Broughton, Peeblesshire.
- Marshall, Sir W. M., Solicitor, 3 Merry Street, Motherwell.

- Mason, John, "Mayfield", South Queensferry, West Lothian.
- Meikle, H. W., C.B.E., LL.D., D.Litt., 23 Riselaw Road, Edinburgh.
- Meldrum, Rev. Neil, B.D., 26 Carden Place, Aberdeen.
- Menzies, W., 6 St. Vincent Street, Edinburgh.
- Michie, J. T., Windyknowe, Dunblane.
- Mill, William, 109 Princes Street, Edinburgh.
- 170 Millar, Hugo B., c/o R. D. Millar & Co., 73 Robertson Street, Glasgow, C. 2.
- Miller, R. Pairman, S.S.C., 13 Heriot Row, Edinburgh.
- Milne, Charles, K.C., 9 Howe Street, Edinburgh.
- Milne, James Fairweather, Rocksley House, Boddam, Peterhead.
- Moncreiffe, Captain Iain, Scots Guards, House of Moncreiffe, Bridge of Earn.
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- Murchison, Rev. T. M., M.A., 14 Kinross Avenue, Glasgow.
- NEALE, A., Ceann-na-Coille, Kinross.
- Nicholas, Don. L., Gatehampton Manor, Goring-on-Thames, Oxon.
- 180 Nicoll, A., 23 Rothesay Terrace, Edinburgh.
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- Oliver, J. W., D.Litt., 41 Barnton Terrace, Edinburgh.
- PATON, HENRY M., 5 Little Road, Liberton, Edinburgh.
- Philip, Sheriff J. R., O.B.E., K.C., 53 Great King Street, Edinburgh.
- Pirie-Gordon of Buthlaw, Harry, D.S.C., F.S.A., Polesacre, Lowfield Heath, Crawley, Sussex.
- Pollok, Mrs. Gladys M., Ronachan, Clachan, Tarbert, Argyll.
- Porcelli, Lt.-Colonel The Baron, 56 South Street, Park Lane, London, W. 1.

- Powrie, Thomas, 165A Brookside Lane, Walton, Stone, Staffs.
- Prain, A. M., Advocate, Castellar, Crieff, Perthshire.
- 190 Pryde, G. S., Ph.D., 9 Great Western Terrace, Glasgow, W. 2.
- RAMSAY, Captain IAIN, Junior Carlton Club, Pall Mall, London.
- Ramsay, Miss M. P., 11 Saxe-Coburg Place, Edinburgh.
- Reid, James A., 28 Anderson Street, Airdrie.
- Reid, R. C., Cleuchbrae Cottage, Ruthwell, R.S.O., Dumfriesshire.
- Reid, W. Stanford, Department of History, McGill University, Montreal, Canada.
- Robertson, Ian Macdonald, LL.B., Advocate, 49 Moray Place, Edinburgh.
- Rosebery, The Earl of, D.S.O., Dalmeny House, Edinburgh.
- Rothwell, R. Norris, Baddeley Mount, Bowness-on-Windermere.
- Russell, Sir David, LL.D., Rothés, Markinch, Fife.
- 200 SALVESEN, I. R. S., Bonnington House, Kirknewton, Midlothian.
- Sanderson, Miss Elizabeth M. C., 8 East Fettes Avenue, Edinburgh.
- Saunders, William, 15 Morningside Grove, Edinburgh.
- Scott, David, Glenaras, Isle of Mull, by Oban.
- Scott, R. Lyon, Braeside, Loanhead, Midlothian.
- Shaw, Duncan, 6 Ulster Crescent, Edinburgh.
- Simpson, W. Douglas, D.Litt., The University, Aberdeen.
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- 210 Smith, Miss Dorothea Nimmo, 19 Moray Place, Edinburgh.
- Smith, Lt.-Col. Ian M., D.S.O., M.C., c/o The British Linen Bank, 38 Threadneedle Street, London, E.C. 2.

- Smith, John, D.Sc., Birkhill, Coalburn, Lanarkshire.  
Somerville, John, Solicitor, 9 Hermitage Terrace, Edinburgh.  
Stair, The Earl of, D.S.O., Lochinch Castle, Stranraer, Wigtownshire.  
Stark, William McNab, 58 North Court Street, Dundee.  
Stenhouse, B. A., 11 Learmonth Park, Edinburgh.  
Stevenson, Professor W. B., 31 Mansionhouse Road, Edinburgh.  
Stewart, James, of Keil, Appin, Marlborough, Salisbury, Southern Rhodesia.  
Stewart, Miss Helen C., 35 Wilton Place, London, S.W.  
220 Stirling, Matthew, 49 Smith Street, London, S.W. 3.  
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Thomson, Alexander, LL.B., 11 Moray Place, Edinburgh.  
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230 Thomson, Miss Mairi, 5 Abercorn Terrace, Edinburgh.  
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- URQUHART, DONALD, 83 Northway, Durban North, Durban, Natal, South Africa.
- WATERSTON, ROBERT, 27 Inverleith Terrace, Edinburgh.  
Watson, Arthur, 23 Danes Drive, Scotstoun, Glasgow.  
Watson, Professor James A. S., B.Sc., 4 Sheldon Avenue, Highgate, London.  
Watt, Mrs. James, 7B Blackford Road, Edinburgh.



- Watt, The Very Rev. Lauchlan Maclean, D.D., LL.D.,  
Kinloch, Lochcarron, Ross-shire.
- Wedgwood, Miss C. V., 22 St. Ann's Terrace, London,  
N.W. 8.
- Weir, John L., 9 Frankfort Street, Glasgow, S. 1.
- 240 Whyte, Robert D., 33 Mountstuart Road, Rothesay.
- Williamson, Peter, 45 Willowbrae Avenue, Edinburgh.
- Wilson, Sir Garnet, LL.D., St. Colmes, 496 Perth Road,  
Dundee.
- Wordie, William, 31 Kingsborough Gardens, Glasgow, W.2.
- Wotherspoon, Robert, Solicitor, Inverness.
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- Wyllie, Matthew, 169 West George Street, Glasgow, C. 2.
- YOUNG, DAVID R., Solicitor, Kinross.
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